

**FIQH AL-IBADAT**

*In the name of God, Most Gracious, Most Merciful*

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## **(Jurisprudence of Worship)**

According to the Shafi'i School of Thought

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First Edition 1999

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## Translator's Introduction

No sooner does the heart fill with the light of Islam, than it begins to seek out help in learning how to please its Lord. How frustrating for one's feelings of gratitude, for one's strength of conviction, to find no way of expression. What a blessing that the faith within a Muslim's heart and head spills over into every action and deed, colors every aspect of his life – and herein lies the importance of fiqh.

A fiqh book is a manual that guides one to the correct performance of the acts of worship. It imbues the intricacies of a Muslim's daily life with attentiveness to his Lord.

As a science, fiqh developed in answer to a need. Whereas, during the life of the Prophet ﷺ, the companions lived by his saying "Pray as you have seen me pray," and he ﷺ was there, modeling, answering, condoning and forbidding; yet later as the Muslim world grew to encompass new lands and new cultures, there arose the necessity for a complete and detailed documentation of how to practice tahara, salat, zakat, sawm, and hajj.

The four schools of thought (Hanafi, Maliki, Shafi'i and Hanbali) developed within a one hundred year period. The imams of these schools of thought respected and admired one another. They were either students of each other or students of each other's students. Their works are in agreement upon the vast majority of issues. Where they differ it is primarily in degree (fard/sunna or makrooh/haram). Their differences stem from different evidence available or different interpretations of a text. These carefully studied differences serve a purpose. The Prophet ﷺ said: "The differences amongst my Ummah is a mercy." They provide a Muslim with correct options and permissible leeway in place of haphazard behavior when faced with specific situations that make it difficult to consistently practice his school of thought. A person is not born into a school of thought; rather one practices what is easiest for him to learn and study properly.

It is important for one to follow a particular school since it is not always easy to plough through what is a tangled forest of evidence for the layperson. Hence a school of thought provides one with a clear and consistent system of rules to follow. It is both naive and erroneous to believe that someone not well versed in the various Islamic sciences could possibly deduce correctly the proper laws of fiqh.

This book, being a concise and direct document of the Shafi'i school of thought, will provide the reader with the basics of fiqh in any school of thought since differences, as we mentioned, are minimal and are stated in many cases.

As a book on the Fiqh of Worship this book stands out for many reasons. The author in collecting the material has combined the traditional Islamic method of oral

learning from a specialist in the field, with modern research methods. Moreover she has presented her work in the simple and accessible style of a textbook with titles, subtitles, and numeration. Her work also stands out in that she has painstakingly authenticated the fiqh rulings with their evidence from the Quran and hadith and mentioned them together. Older works of fiqh separate the rulings and the evidence in separate works, thus making it extremely difficult for the layperson to act on the basis of evidence. With the present work of scholarship the student becomes privy to the evidence from the Quran and/or hadith alongside a ruling (of Shafi'i) thus allowing for informed obedience without difficult individual research.

As a translation this book is also unique. It is clear without being an oversimplified (condescending/patronizing) booklet or pamphlet and it is scholarly without being confusing as are some literal translations of older works.

Terminology in a translation of this type is always a problem. Fiqh, like other branches of Islamic Shari'a was compiled, interpreted, expounded, refined, taught and documented in Arabic. Today fiqh is a mature Islamic science with its own specialized terminology. The terms of fiqh have very precise and specific meanings. Finding precise equivalents in English to many of these terms proved to be very difficult and sometimes impossible. Therefore, since the long term goal of any Muslim is to master the Arabic language and since it is important for each Muslim to be familiar with the basic terminology of his own religion, we have deemed it necessary in most cases to use the Arabic term rather than coin a new one in English. Each time an Arabic term is used for the first time, it is explained in parentheses or in a footnote. These terms are collected in a glossary at the end of the book. Sometimes the Arabic term and its approximate English equivalent are used interchangeably such as the words; mandoob (recommended), fard (obligatory) and tahara (purification). Also, an appendix has been added with most du'a, tasbih, and intentions in Arabic to avoid the pitfalls of transliteration.

The many hadith that appear in the book are referenced to their original Arabic sources in the footnotes. The numbers and page numbers cited are those of the original Arabic texts and not any of their translations.

Utmost care has been taken to translate the Arabic text as faithfully and accurately as possible, yet some errors and omissions are bound to have occurred for which the translators apologize and welcome any correction from readers. Finally it is our modest and sincere hope that Allah ﷻ may accept our work by allowing the greatest number of people to benefit from it. May it help each reader develop a deeper understanding of Islam and a closer relationship with his Lord – Ameen.

# Introduction to the first edition

Praise be to the Lord of the Worlds, and the best of peace and blessing be upon Prophet Muhammad and all of his family and companions.

I place this humble work of fiqh (according to the Shafi'i school of thought) in the hands of those who wish to learn the vital practical rules of fiqh in order to correctly perform their acts of worship. The information herein was collected from my teacher in the subject of fiqh, sheikh Abdel Kareem Rifa'i, may Allah honor his resting place with peace and reward him for all good; and from the many Shafi'i fiqh books I researched. In collecting material for this book I was careful to select what was needed for simple practical daily usage, avoiding rare cases and lengthy scholarly subdivisions that might turn away the reader.

To make this subject more accessible I categorized the material into chapters and used the method of numeration, bringing it as close as possible to the format of a school textbook steering clear when possible of tedious digressions.

When stating the various fiqh rulings I have striven to present the evidence and proof for these rulings whether from the Quran or from the sunna, starting with Bukhari and Muslim and ending with Darqutni and Bayhaqi pointing out the source of each proof as well.

In closing, I humbly present this book in fear that it doesn't come near perfection in precision and correctness yet it is the utmost of my humble ability.

May Allah reward all those who helped me with this book and truly Allah is our purpose and aim.



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# **PART ONE**

## **INTRODUCTION**





# A GLIMPSE INTO THE LIFE OF IMAM AL-SHAFI'I

## His ancestry

He is Imam<sup>1</sup> Abu<sup>2</sup> Abdullah, Muhammad ibn<sup>3</sup> Idris Al-Shafi'i<sup>4</sup> ibn Al-Abbas ibn Uthman ibn Shafe' ibn Al-Sa'eb ibn Ubaid ibn Yazeed ibn Hashem ibn Al-Muttaleb ibn Abd Manaf, the great grandfather of Prophet Muhammad ﷺ. Shafe' was one of the companions of the Prophet, and his father, Al-Sa'eb, embraced Islam on the day of the Battle of Badr.

## His birth and youth

Al-Shafi'i was born in Gaza, Palestine in the year 150 hijra, the same year the great, Imam Abu Hanifa رحمته الله died. Gaza was not the land of his ancestors, however, his father Idris emigrated there for business reasons, and died there shortly after his son Muhammad was born.

When the child was old enough to travel, his mother took him to Mecca. She opted to leave her family, the family of *Al-Azd*, in Yemen and take her child to Mecca, lest he lose his right in the money of *Thawil-Qurba*<sup>5</sup>. This was the first trip in the life of the child, a life that would be full of travel.

Al-Shafi'i grew up in Mecca and despite his honorable ancestry, led a life of poverty and orphanhood. Poverty coupled with honorable ancestry make a person well mannered, and dignified. Honorable ancestry causes one to aspire to great matters, while poverty helps one to empathize with people and understand the intricacies of society; all of which are important to anyone who is going to undertake a job dealing with the public.

From a tender age Al-Shafi'i showed extraordinary signs of talent and intelligence, to the point that his teacher accepted him without a fee, provided he would substitute for him when he was absent. Al-Shafi'i had such a strong memory that it was said he never forgot anything he memorized.

## His pursuit of knowledge

Al-Shafi'i memorized the Holy Quran when he was still seven years old, and recited it in *tajwid* to the great reciter of Mecca, Isma'il ibn Qistantin. He learned *tafsir* (the explanation of Quran) from the scholars of Mecca who inherited their knowledge from

<sup>1</sup> The Arabic word imam means a scholar of Islam.

<sup>2</sup> The Arabic word 'abu' means 'the father of.'

<sup>3</sup> The Arabic word 'ibn' means 'the son of.'

<sup>4</sup> 'Al' in Arabic means 'the.'

<sup>5</sup> Those who are related to the Prophet ﷺ.

the "Interpreter of the Quran", Abdullah ibn Abbas رضي الله عنه. After memorizing the Quran he turned to memorizing hadith. From his youth, he was fond of the Arabic language, so he traveled to the desert seeking greater knowledge in grammar, literature, poetry, and linguistics. He accompanied the Huthail tribe<sup>1</sup> for ten years learning its rhetoric and literature, until he became highly skilled in the Arabic language while still a boy. Al-Asma'i, who was famous for his knowledge of the Arabic language, said: "I have checked the poetry of Huthail with a youth from Quraish called Muhammad ibn Idris."

In Mecca he used to frequent *Al-Masjid Al-Haram* listening to scholars with extreme interest. He was so poor that he could not afford the price of paper, so he would collect bones, pieces of pottery and the like to write on, and used to say: "No one succeeds in acquiring knowledge except those who seek it in (financial) hardship and I used to be unable to afford the price of notebooks."

He was less than fifteen years old when his teacher Muslim ibn Khaled Al-Zinji, the Imam of Mecca and its Mufti<sup>2</sup>, would say to him: "O Abu Abdullah, give your *fatwa* (legal opinion). By Allah, it is time for you to give fatwa."

In Mecca, Al-Shafi'i was prominent in his mastery of the Arabic language, fiqh, and tafsir, but this did not satisfy him and his enthusiasm for knowledge drove him to strive and travel to gain even more knowledge. Scholars of that time used to set out to Medina to meet its famous scholar Malek ibn Anas رضي الله عنه. Malek was the head of a *halaqa* (study group) in *Al-Haram Al-Nabawi*<sup>3</sup>, consulted and highly respected by the caliphs. Al-Shafi'i heard of Imam Malek and desired to meet him and learn from him, so he memorized Malek's book *Al-Muwatta'*, and traveled to Yathreb (Medina). There, he struggled to reach Malek's doorstep. Malek, who was a man of insight, looked at him and said: "O Muhammad, fear Allah and avoid sins because you will have a high status." In another narration, Malek said: "Allah has cast light into your heart. Do not put it out with sins." Then he said to him: "Tomorrow, come and someone will read for you (Malek's book)." Al-Shafi'i said: "I said to him: 'I have read it,' and I began to recite *Al-Muwatta'* to him with the book in my hand and every time I feared Malek and wanted to stop, he -liking my reading and expression - would say: 'Continue young man,' until I recited it all in a few days." Malek said "If anyone will be successful, it will be this young man."

After he recited to Malek his *Muwatta'*, he remained in his company learning fiqh from him and discussing the problems which the great Imam used to pass fatwas upon. A relationship between him and his teacher was established, and Malek used to say of him "I have not had (as a student) a man from Quraish more intelligent than this youth." Al-Shafi'i used to say: "If scholars are mentioned then Malek is the star, and no one has been more generous to me than Malek." Nevertheless his companionship to Malek did not prevent him from travel and discovery. He used to go on trips every once in a while to Muslim countries, and would visit his mother and take her advice.

<sup>1</sup> The most eloquent Arab tribe at that time.

<sup>2</sup> Official interpreter and expounder of Islamic Law.

<sup>3</sup> The mosque of Prophet Muhammad ﷺ.

After ten years in Medina, Malek passed away. Al-Shafi'i felt that he had acquired a good amount of knowledge so he decided to get a state job to earn a living after having mortgaged his house- his mother being unable to help him financially. He took a job in Najran, Yemen, and he used to frequent study circles and learn from the greatest scholars there. So it was until he had a disagreement with the Governor of Yemen. The Governor spoke badly of Al-Shafi'i to the Caliph Harun Al-Rashid, who ordered him to be brought before him in Baghdad. This ordeal was probably brought upon him by Allah ﷻ to steer his attention away from state service and return completely to learning. Al-Shafi'i was acquitted of the allegations he was charged with and quickly gained fame in Baghdad for his knowledge. He became a student of Muhammad ibn Al-Hasan, (the student of Abu Hanifa who was the designated leader of fiqh in Iraq) from whom he learned the fiqh of *Ahl Al-Ra'i* (Holders of Opinion). Thus combining his new knowledge and his previous learning from Imam Malek, who was the leader of fiqh in Medina, Al-Shafi'i came out with a school that united both opinions (which became known as his old school) explained in his book *Al-Hujja*<sup>1</sup>. After two years in Baghdad, Al-Shafi'i returned to Mecca laden with the knowledge of the great scholars of that time, and he started to give lessons in the *Meccan Mosque* where he met more and more great scholars during the season of hajj. They saw a unique scholar in Al-Shafi'i. During that period Ahmad ibn Hanbal met him. Ishaq ibn Rahwaih said: "I met Ahmad ibn Hanbal in Mecca, and he said to me: 'Come with me, I will show you a man your eyes have never seen the like of before,' and he showed me Al-Shafi'i. We had a debate about hadith and I never saw anyone more knowledgeable than him. Then we had a debate about the Quran and I never saw anyone more conversant than him. Then we had a debate in language, and I found him a pillar of language. I never set my eyes on anyone like him." Al-Shafi'i stayed in Mecca for nine years, despite his eagerness to travel, so that he would have the time to derive the rules of deduction away from the noise of Iraq and the conflict of opinions in it. He wrote a book, *Al-Risala*, on the science of the origins of fiqh.

Al-Shafi'i traveled to Baghdad again, where his fame had spread, and where he was the talk of teachers and scholars alike. He was called the 'Guardian of Hadith.' There, he began to teach his legal opinions and run his debates according to them. Study circles for knowledge and fiqh gathered in the *Western Mosque* to study with him. He was sought by learners and scholars alike. Some of them wanted to test him, some wanted to listen to him, while others were arrogant of their own school of thought and contemptuous of this new scholar. The minute, however, one would sit down and listen to him, the previous convictions would be revoked and his followers would increase. Al-Shafi'i kept teaching and deriving new understandings of Allah's sayings and the hadith of Prophet Muhammad ﷺ on a daily basis, such that scholars recognized his unique knowledge and he became famous among people. All the study circles of opposing groups disbanded. One of them even said "Al-Shafi'i came to

<sup>1</sup> Narrated from him by many scholars, the best narrator was Za'farani.

Baghdad and there were twenty study circles of Ahl Al-Ra'i in the Western Mosque. The next Friday, only three or four of them stood fast. During that period, which lasted two years, he ~~also~~ circulated his books (which had matured through study and revisions) among his companions.

Al-Shafi'i traveled many times between Mecca and Baghdad. His last trip, however, was to Egypt and was motivated by his desire to stay away from the center of the Caliphate and politics in Baghdad. This was by an invitation from the *Wali* (governor) of Egypt. There he dictated his new *Math-hab* (school of legal thought) in his book "*Al-Mabsut*" which later became known as "*Al-Umm*." He revised his opinions, books, and writings, and he renewed some of them. Also, he replaced his previous book which was written during his time in Baghdad, with his new Egyptian book and said: "I do not allow anyone to narrate my Baghdadian book."

The people of Egypt were followers of the school of Imam Malek, yet when they listened to Al-Shafi'i, they were captivated by him. Many people came from Syria, Yemen, Iraq, and the rest of the world to learn from him.

Testimonies to Al-Shafi'i's knowledge and his status among the knowledgeable were myriad in his time. His teachers, peers, and students agreed that he was an outstanding scholar, unrivaled by anyone. Moving beyond such testimonies, we find further proof of his status in the traces he left in quotes, letters, and books<sup>1</sup>. His status was, of course, based on his degree of knowledge and his talents. He was greater than a mere author, and far more than a legal scholar of fiqh.

His study circle encompassed many branches of knowledge. Al-Rabi ibn Suliman said: "Al-Shafi'i ~~also~~ used to sit down in his study circle after praying Fajr and the students of Quran would come to him, at the break of dawn they would leave and the students of hadith would come and ask him about the explanation of hadith, at sunrise they would leave and the study circle was opened for general studies and considerations. When it was mid-morning the students of Arabic language, *Arud*, grammar and poetry would come and stay until midday."

The prophecy of Prophet Muhammad ~~ﷺ~~, when he said: "O Allah, guide Quraish as its scholar will fill the sides of the earth with knowledge," was fulfilled by Al-Shafi'i.

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<sup>1</sup> Books left by Al-Shafi'i fall into two parts: 1) Those which are attributed by historians to Al-Shafi'i himself, like the book of "*Al-Umm*," which is likely to be written down by him, and the book of "*Al-Risala*" 2) And those which are attributed to his companions as being a summary of his books, like "*Mukhtasar Al-Buwaiti*," "*Mukhtasar Al-Risala*," and "*Mukhtasar Al-Muzni*." Al-Shafi'i ~~ﷺ~~ is credited for both the meaning and style in the former group and the meanings only in the second group. Narrators have mentioned the way he authored his books. Some of which were written by him, while some were dictated to his students who read what they had written to him.

# Factors that prepared Al-Shafi'i for scholarly prominence

## His character and talent

- Allah granted Al-Shafi'i great genius and great talent, such that he became among the foremost in thought and opinion.
- His mental capacity was of such a degree that his student Bishr Al-Maraisi said: "Al-Shafi'i has half the total brain power of the world." He was quick-witted, thorough in his thinking, and deep in his understanding. His studies dealt with both specific and comprehensive theories.
- He had great power of expression and a lucid style. In addition to his eloquent tongue and fluent expression, he was gifted with a deep far reaching voice and rhetoric. As a result he excelled in speech to such a degree that Ibn Rahwaih called him: "The Speaker of Scholars."
- He had penetrating insight that revealed the very souls of people (as did his teacher Malek). This powerful insight, and his consequential knowledge about the conditions of people and what they held in their hearts, was a further reason behind the great number of friends and students that gathered around him.
- He had a spirit which soared far above the impurities of the lower world. He was thoroughly sincere in seeking truth and knowledge. He sought them for the sake of Allah alone and consistently followed the straight and upright path. If he developed an opinion which varied from the accepted norm he would declare it with confidence and clarity. His asceticism and sincerity were so strong that he used to say "I wish that people would learn this knowledge without attributing any of it to me so that I would be rewarded by Allah rather than by them." He never got angry in an argument nor used harsh words in a debate because his argument or debate was to manifest the truth, not in personal defense of opinion. He used to say: "I never had a debate with anyone for the purpose of defeat, instead I hoped that the truth, once discovered, would be revealed by him." His devotion gave him intelligence, lofty aspirations, and distance from petty matters.
- He was very devoted to the hadith of Prophet Muhammad ﷺ. Al-Rabi says: "I heard Al-Shafi'i repeating: 'Nobody can encompass all the sunna of the Messenger of Allah ﷺ. Therefore, if anything that I said or originated has something that contradicts it in the sunna of the Messenger of Allah ﷺ then go by the saying of the Messenger of Allah and that is what I agree with.'"

## His *sheikhs*<sup>1</sup> (teachers)

Al-Shafi'i learned fiqh and hadith from many sheikhs of widely different places and methods. As a result, he gathered the fiqh of most of the schools of his time. He learned the fiqh of Malek from Malek himself, the fiqh of Ouza'i from its leading

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<sup>1</sup> A sheikh is a distinct scholar of Islam.

proponent Umar ibn Abu Salama of Yemen, the fiqh of Al-Laith ibn Sa'ed (The Chief Jurisprudent of Egypt) from its proponent Yahya ibn Hassan, and the fiqh of Abu Hanifa from Muhammad ibn Al-Hasan (The Chief Jurisprudent of Iraq). In this manner, he mastered the school of hadith of Medina and the school of opinion of Iraq. A third school, concerned with the explanation of Quran, was called the School of Mecca (which was the residence of Ibn Abbas رضي الله عنه). Ibn Abbas became a model for Al-Shafi'i, as he strove to follow his steps and path. The breadth and depth of knowledge that entered the heart of Al-Shafi'i developed an exact balance of fiqh in which all trends were brought together in harmony, resulting in his comprehensive message which he offered to people in excellent rhetorical style.

## **Personal pursuits**

Al-Shafi'i's great respect and care for those who had knowledge resulted in an emotional attachment to his sheikhs and a desire to remain in their company. Even so, he continued to travel in search of further material and experience which would sharpen his understanding of the knowledge that had become his life. It is commonly known that travel alone is an educator of humankind, but Al-Shafi'i further utilized his explorations through contact with leading local sheikhs and discussions with scholars and an energetic exchange of ideas. He did not restrict himself to those jurists whose opinions were adopted and supported by the caliphs, but sought to learn the opinions of lesser known scholars as well. Al-Shafi'i's dedication to knowledge was such that he was not prejudiced as to its source but sought it wherever it was available.

## **The era he lived in**

Al-Shafi'i was born and lived during the Abbasid period. He lived during a time of political stability and national prosperity. The era was characterized by the revival of science and advanced Islamic thinking. During this bright period of Islamic history, all the old cultures met and blended under the auspices of Islam. The Abbasi caliphs encouraged their translators to translate major books of other cultures, which added to the rich intellectual environment of this period. It was the age of productive, independent, intellectual fertility. The narrators of hadith were working hard to authenticate the true hadith of the Messenger of Allah ﷺ and identify the false. The various groups and scholars were brandishing the swords of reason to make way for their opinions. Al-Shafi'i intermingled with all of them, debated their masters, and took from their scholars what he thought to be correct. The scholars of fiqh and narrators of hadith were travelling all over the land seeking knowledge. Al-Shafi'i continuously met them, particularly around the Ka'ba, which had become a gathering place for people of knowledge. The scholars of fiqh who depended on opinion and the scholars of fiqh who depended on hadith debated one another in search of the truth and each took of what the other had to offer. Fiqh was collected in books so that jurists could see the opinion of others written down and read it, study it, criticize it, and accept what each thought was closer to the Quran and sunna. Al-Shafi'i lived during this great intellectual era, benefiting from its wealth of scholarship. His school of thought and the

opinions that he offered were a result of his incredible talent, thorough research and clear direction.

## His manners and worship

He ﷺ had a great deal of worship. He used to divide the night into three parts: One third for learning, one third for sleep, and one third for worship. He used to stand and pray and read Quran while tears overflowed from his eyes in fear of his shortcomings. He used to see himself, due to his great modesty, among the people of sin, although he was described as "never having done wrong."

Al-Shafi'i was given a deep penetrating voice, a bright heart that had been conferred with continuous worship and great love, light, influence and charm. He was fond of Quran and its company and he used to read the whole Quran every day. In Ramadan he used to read the whole Quran once every day and once every night. When he recited the Quran, he used to weep and make those listening to him weep as well. One of his contemporaries narrated: "When we wanted to weep we used to say to each other: 'Let us go to that man from Muttaleb to read Quran.' When he started to recite the Quran people would start falling down before him weeping loudly. When he saw that, he would stop reciting." He ﷺ was straight on the path of *Shari'a* (Islamic Law) to the utmost.

He was generous, had high morals like all members of *Aal Al-Bayt*<sup>1</sup>, and gave in charity to the poor. In this respect unusual things are narrated about him. One of his sayings was: "Manhood has four pillars: Good manners, generosity, humility, and worship." He was known for his great modesty. It has been narrated that he would blush if he were asked for something he did not have.

## His ordeal

Al-Shafi'i ﷺ was accused of Shi'ism, and many conspiracies were planned against him in the palace of the Caliph Harun Al-Rashid. Finally, he was ordered to come and was led in chains, at the age of thirty four years, with nine Alawis to the Caliph himself. The nine Alawis were beheaded before him, but Al-Shafi'i was able with his intelligence and wit to win the heart and mind of the Caliph to his side and convince him of his innocence. The judge, Muhammad ibn Al-Hasan, was with Harun Al-Rashid, so the Caliph handed Al-Shafi'i over to him. Scholars were like family unto each other, therefore, the judge defended him and contributed to his acquittal and said of him: "He has a great place in knowledge, and he is innocent of what he is charged with." The accused was acquitted, and the Caliph Al-Rashid gave him fifty thousand which he distributed as gifts at the doorstep of Al-Rashid.

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<sup>1</sup> The Muslim relatives of the Prophet ﷺ.

## His illness and death

He ﷺ suffered much pain and illness, particularly from hemorrhoids, which worsened a great deal in his latter days. His condition became so severe that he used to bleed from his rectum when mounting (an animal) and he always had a padded bowl into which his blood dripped. Few suffered from illness as he suffered, but still he was not distracted from study, research and reading. The Messenger of Allah ﷺ, when he was asked about the most afflicted people, said: "The prophets, then the like, then the like,"<sup>1</sup> so it is further testimony to Al-Shafi'i's status to find this great man in his great state of difficulty.

When he was in the final stages of illness, his student Al-Muzni, entered upon him and asked: "How are you today?" He said: "I woke up moving away from this world, leaving my brothers, drinking of the cup of death, coming to Allah, and I do not know whether my soul will be going to Paradise so that I might congratulate it or to Hell so that I might console it, and then he wept."

In the last night of Rajab in the year 204 hijra, his pure soul moved to its creator, at the age of fifty four years. The next day, in the afternoon, hundreds of thousands of people went out to take Al-Shafi'i to his final abode in Al-Qarafa in Egypt. People were stunned by the news of his death, and sadness was written all over the faces of scholars, and his students were broken.

A bright page of our glorious history was turned over and a star that shone in the sky of humanity filling east and west with light, disappeared.

May Allah have mercy, be pleased and bless the resting place of Al-Shafi'i, because he was as Ahmad ibn Hanbal ﷺ said about him: "Al-Shafi'i was like the sun to this world and health to a body. Can you find a replacement for these or an alternative for them?"

## The most famous of his students

Al-Shafi'i left behind students who were pillars of knowledge. They preserved his knowledge, disseminated, and defended it. Of these students, we mention:

In Mecca:

- Abu Bakr Al-Hamidi: A teacher of jurisprudence, a scholar of hadith, trustworthy, and *hafez*<sup>2</sup>.

In Iraq:

- Abu Ali Al-Hasan Al-Sabah Al-Za'farani: He was the most eloquent and had great insight into the Arabic language. Al-Za'farani was the narrator of the books of Al-Shafi'i in Iraq.
- Abu Ali Al-Husain ibn Ali Al-Karabisi: A meticulous classifying scholar.
- Abu Thawr Al-Kalbi.

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<sup>1</sup> Al-Tirmithi, Vol. 4, The Book of Asceticism, Chapter 56/2398.

<sup>2</sup> One who knows the whole Quran by heart.



- Abu Abdulrahman Ahmad ibn Yahya Al-Ash'ari Al-Basri: He was called "Al-Shafi'i" and was the first to succeed him in Iraq.

Of those who learned from Al-Shafi'i but were not known to follow his school, we mention:

- Imam Ahmad ibn Hanbal, one of the four imams. Al-Shafi'i said about him: "I left Baghdad with no one more knowledgeable in fiqh, more God-fearing, ascetic, or knowledgeable than Ahmad."
- Ishaq ibn Rahwaih.

In Egypt:

- Harmala ibn Yahya ibn Harmala: He was noble and highly esteemed. He narrated from Al-Shafi'i some books which were not narrated by Rabi'.
- Abu Ya'kub Yusuf ibn Yahya Al-Buwaiti: He was nominated by Al-Shafi'i to succeed him in his study circle over ibn Abdullah ibn Al-Hakam, despite Al-Shafi'i's great love for ibn Al-Hakam. But, Al-Shafi'i was one to give precedence to truth over brotherhood and love in all matters. He said: "No one is more worthy of my council than Yusuf ibn Yahya, and no one more knowledgeable of my companions than him." Al-Buwaiti was a scholar, jurisprudent, and ascetic. He died in prison during the crisis about the 'Creation of Quran.'
- Abu Ibrahim Isma'il ibn Yahya Al-Muzni: He was a knowledgeable jurisprudent, a worshiper, knowledgeable in the aspects of debate, and a rhetorician. When he was a youth, Al-Shafi'i said of him: "Had al-Muzni debated with the Shaytan he would have 'cut' him." He also said about him: "Al-Muzni is the guardian of my school." He has many books in the Shafi'i school such as: Al-Mukhtasar (the abridged) and Al-Mukhtasar Al-Sageer (The Small Abridged).
- Al-Rabi' ibn Sulaiman Al-Muradi Al-Mu'athen, the narrator of the books of Al-Shafi'i and his servant. He accompanied Al-Shafi'i for a long time and learned much from him, served him and was known for his companionship to him. He was the last one to narrate about him in Egypt. He was so truthful and scrupulous in his narration that people would travel to him from afar to learn about the books of Al-Shafi'i.

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# INTRODUCTION TO FIQH

## The significance of fiqh


“If a contingent from every expedition remained behind, they could devote themselves to studies in religion and admonish the people when they return to them thus they (may learn) to guard themselves (against evil).”

*Sura Al-Tauba, 122.*

“If Allah wishes to benefit someone, He will grant him fiqh in religion and inspire him to follow the right course.”

*hadith - agreed upon<sup>1</sup>*

“One who learns Quran strengthens his spiritual status,  
And one who obtains knowledge in fiqh becomes noble,  
And one who writes hadith obtains powerful logic,  
And one who obtains knowledge in language becomes well mannered,  
And one who learns mathematics obtains unerring judgement,  
And one who does not protect himself will not benefit from his knowledge.”

*Imam Al-Shafi'i .*

## The definition, importance and purpose of fiqh

### Definition of fiqh

**Literally:** Understanding.


**Legally:** Knowledge of practical legislation developed from detailed evidence.


### The purpose of fiqh

To learn how to have a proper relationship with Allah (Fiqh of Worship) and how to properly interact with people (Fiqh of Interaction). Without this knowledge a person is liable to make grave mistakes. Even if safe in one aspect, he is apt to commit serious errors in others.


## Legal Rules

### Definitions

A legal rule is a statement from Allah  concerning the acts of a person who is to be held accountable for those actions whether obligatory or non-obligatory.

Al-Shafi'i  categorizes the legal rules into:

1. **Obligatory (fard):** Synonymous to a pillar (*rukn*) or duty (*wajeb*)<sup>1</sup>. What one is strictly required to do and is forbidden to refrain from. One who performs it is

<sup>1</sup> Agreed upon by Bukhari and Muslim (famous narrators of the Prophet's  hadith).

rewarded while one who refrains from it is punished, for example: The five prescribed prayers.

2. **Recommended/sunna** (*mustahab* or *mandoob*): What one is asked to do but not strictly required to and is not prohibited to refrain from. One who performs it is rewarded while one who refrains from it is not punished, for example: Brushing one's teeth (*siwak*) and saying the *tasbeeh* in prayer.
3. **Forbidden** (*haram*): What one must strictly refrain from and is prohibited to do. One who refrains from it is rewarded, while one who commits it is punished, for example: Adultery and drinking wine.
4. **Makrooh** (hated): What is discouraged but not strictly forbidden. One who refrains from such an act is rewarded while one who commits it is not punished. For example: Eating garlic and onions before going to the mosque or a meeting.

In the Shafi'i school of thought, makrooh acts are divided into two categories with regard to the evidence of restriction:

- a. If a *non-strict restriction* is directed towards a specific matter then it is considered makrooh. For example when the Prophet ﷺ says: "If one of you enters the Mosque let him not sit until he prays two *rak'as*."<sup>2</sup> Also, the restriction of praying in camel's stables.
  - b. If a *non-strict* restriction is not directed towards a specific matter then it is *forgoing what is fitter* (*khilafel awla*), such as the restriction of neglecting recommended acts and fasting for a traveller in Ramadan.
5. **Permissible** (*mubah*): What one has the choice (option) to do or leave. One is not rewarded for doing or leaving a permissible act.

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<sup>1</sup> Al-Shafi'i did not differentiate between *wajeb* and *fard* except in *hajj* following the example of the Prophet ﷺ.

<sup>2</sup> Muslim, Vol. 1, The Book of the Prayer of Traveller and Shortening it, Chapter 11/70.



**PART TWO**  
**THE BOOK OF PURIFICATION**  
**(TAHARA)**



# PURIFICATION (TAHARA)

## Definition of purification

**Literally:** Cleanliness.

**Legally<sup>1</sup>:** The lifting of *hadath*<sup>2</sup> or removing of *najasa* (filth) or what may look the same or mean the same such as *tayamum*, sunna *ghusl* (such as Friday *ghusl*), renewing *wudu*, the second and third washes in purification of *hadath* and *najasa*, wiping the ear and rinsing the mouth or any other sunna act in purification, and the purification of an *excused person*<sup>3</sup>. All those are considered as 'purification' yet they do not lift *hadath* or remove *najasa*.

Purification is a necessary condition for prayer to be valid, for food to be eaten, and for utensils to be used. Shari'a demands the purification of the body, place, and dress as conditions for the validity of prayer. In addition, food must be described as pure to be permissible to be eaten.

## Evidence for purification

- Allah says: "For Allah loves those who are oft-repenting and He loves those who are oft-purifying of themselves."<sup>4</sup>
- Abu Malek Al-Ash'ari rahimahullah narrated that the Prophet ﷺ said: "Purification is one half of faith."<sup>5</sup>
- Ibn Abbas rahimahullah narrated that: "The Prophet ﷺ once passed by two graves, and he said: 'Verily, they (the two dead persons) are being tormented, and not for a great sin. The first never protected himself from his urine, while the other was going about with calumnies (to make enmity between friends).' Then he asked for a green palm frond and split it into two pieces and fixed one on each grave and said: 'May it lessen their pain until it dries.'"<sup>6</sup>

## Types of purification

Depending on the definition, there are two types of purification: *Material purification* from visible *najasa*, and *abstract purification* from *hadath*. That is because it is required for prayer that a person's body and clothes be pure from *najasa*, and that his

<sup>1</sup> In Islamic Law (Shari'a).

<sup>2</sup> A state of ritual impurity which can be either major (that which breaks *ghusl*, e.g. *janaba*), or minor (that which breaks *wudu*, e.g. breaking wind).

<sup>3</sup> e.g. One who has urine incontinence or the *mustahada*.

<sup>4</sup> Al-Baqara, 222.

<sup>5</sup> Muslim, Vol. 1, The Book of Purification, Chapter 1/1.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 34/111.

body be pure from hadath. Therefore the purification from these two things is obligatory.

Najasa is what are considered repulsive substances in Shari'a such as blood, urine, and other matters which will be discussed in a subsequent chapter. Purification from najasa can be categorized into original and subsequent (incidental) purifications:

1. *Original purification* exists in those things that are naturally and initially pure such as water, earth, iron, minerals, etc., since the rule is that the initial presumption for all things is that they are pure unless their impurity is established by a proof.
2. *Subsequent purification* is cleanliness from najasa which has affected something pure (*taher*). It is called incidental because it can be re-established with the use of *purifying materials* (water and earth) that remove najasa as will be discussed in a subsequent chapter.

Hadath is a nominal description with which the Shari'a describes the status of the entire body by *janaba*<sup>1</sup> (this is called *major hadath*), or some parts of the body when wudu is broken by passing wind, urine, etc. (this is called *minor hadath*). The purification of major hadath is accomplished through ghusl. Major hadath also includes menstrual and postnatal periods during which the whole body is in a status that prevents a woman from performing prayers until she qualifies for ghusl. The purification of minor hadath is accomplished by making wudu. Tayamum substitutes for ghusl and wudu in the absence of water or the inability to use it.

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<sup>1</sup> When one has sexual intercourse or passes *mani*. In this case one is called *junob* for one must abandon praying, entering the mosque, reading Quran, etc.



# WATER

Water which lifts hadath (an impure state of being) or removes najasa comes from seven sources summarized by the phrase: "Anything which comes down from the sky or springs forth from the earth." These are as follows:

1. Rain water. Allah says: "And we send down pure water from the sky."<sup>1</sup> Also, Allah says: "And he caused rain to descend on you from heaven to clean you therewith."<sup>2</sup>
2. Sea water. Abu Hurayrah narrated: "A man asked the Messenger of Allah ﷺ: 'O Messenger of Allah, we ride the sea and carry a little amount of water with us, if we use it for wudu we get thirsty. Can we perform wudu with sea water?' The Prophet ﷺ said: 'Verily its water is pure and its dead (creatures) are permissible (to eat).'"<sup>3</sup>
3. River water.
4. Well water.
5. Spring water.
6. Snow water.
7. Hail water.

The evidence for the above mentioned types of water is the consensus that all which falls from the sky or springs from the earth is pure.

## Types of water

### I. Purifying pure water

This is the only type of water which can lift hadath or remove najasa. The evidence for this with respect to hadath is what Allah says: "And if you find no water then perform tayamum."<sup>4</sup> So, Allah ﷻ orders those who cannot find water to make tayamum which indicates that it is not allowed to perform wudu using anything else. The evidence with respect to najasa is that the Prophet ﷺ ordered it to be washed. Purifying-pure water is divided into:

#### Purifying pure water that is not makrooh to use

This is *absolute* water, i.e. one which has nothing to change its name. Nothing can deprive water of its *purifying ability*, so that it becomes *non-purifying pure water*, except if it is mixed with other pure substances which greatly change its taste, color or smell.

<sup>1</sup> Al-Furqan, 48.

<sup>2</sup> Al-Anfal, 11.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 52/69.

<sup>4</sup> Al-Ma'idah: 6.

## Purifying pure water that is makrooh to use

1. Very hot water. This becomes not makrooh once cooled.
2. Very cold water. This becomes not makrooh once warmed.

The above waters are makrooh because it is difficult to wash the body parts thoroughly with them.

3. Water that has sat in the sun in a malleable-metal utensil<sup>1</sup> in a hot country on account of health reasons. Al-Shafi'i said: "I am not against water sitting in the sun except from the viewpoint of health," and he attributed this to Umar ibn Al-Khattab who used to hate performing ghusl using water exposed to the sun and used to say that it can cause leprosy<sup>2</sup>. Water sitting in the sun can be recognized by a thin film on its surface which is caused by a chemical reaction between the utensil's metal and the water in the sun. Therefore, it is makrooh to use this water on one's body but not for purifying clothes. Water sitting in the sun is no longer makrooh once it cools and the film disintegrates. In mild climates, water sitting in the sun is not makrooh because the temperature is moderate.
4. Water from wells of people who have been cursed by Allah, except in dire need. Ibn Umar رضي الله عنه narrated: "When the Prophet ﷺ landed at Al-Hijr<sup>3</sup> during the battle of Tabuk, he ordered his companions not to drink water from its well nor to reserve water from it. They said: 'We have already kneaded the dough and filled our bags with its water.' The Prophet ﷺ ordered them to throw away the dough and pour out the water."<sup>4</sup>

## II. Non-purifying pure water

This is water that is pure in itself but cannot purify other things, i.e. cannot lift hadath or remove najasa, and is of two types:

### A small amount<sup>5</sup> of used water

This is water which has been used in purifying from hadath (wudu or ghusl) or najasa:

1. **Water used in the purification of hadath.** If water is used in obligatory purification then it becomes non-purifying pure water even if the user was a child. The evidence that such water is still pure is the hadith by Jaber ibn Abdullah who said: "Once I fell ill. The Prophet ﷺ and Abu Bakr came walking to pay me a visit and found me unconscious. The Prophet made wudu and then poured the water of his wudu on me, and I woke up."<sup>6</sup> Such water is pure water

<sup>1</sup> Made of a malleable metal, other than gold or silver, like iron, lead or copper.

<sup>2</sup> Al-Nawawi said in Al-Majmu': "The hadith is *weak* because it is narrated by Ibrahim ibn Muhammad ibn Abu Yahya." They agreed that it is weak but Al-Shafi'i authenticated it.

<sup>3</sup> The land of Thamud.

<sup>4</sup> Al-Bukhari, Vol. 3, The Book of The Prophets, Chapter 19/3198

<sup>5</sup> A small amount of water is anything less than two qillas (an old measure of volume). Two qillas is equivalent to the volume of a cube whose sides are 58 cm long, i.e. 195112 cm<sup>3</sup> or 195.112 dm<sup>3</sup> (liter).

<sup>6</sup> Al-Bukhari, Vol. 5, The Book of Patients, Chapter 5/5327.

because it has come in contact with something pure, yet it is non-purifying because it has been used to remove a *bar* (in this case of lifting hadath).

If water is used in a recommended (*sunna* or *nafl*<sup>1</sup>) purification, such as renewing wudu, the second and third washes (in ghusl or wudu), Friday ghusl, water used in rinsing the mouth or nose (in wudu), and other recommended purifications, then it is still purifying and can be used for another purification because it has not lifted hadath or removed najasa.

Used water also includes that water in which one has immersed one's hand during an obligatory wudu or ghusl after making intention and before the *intention of scooping*<sup>2</sup> (*ightiraf*). Also, water separated from the body after an obligatory wudu or ghusl is used water. It should be noted that there is a difference between wudu and ghusl in this case. In wudu, when water runs from one part of the body to another it becomes used water on leaving the former and hence does not lift hadath off the latter, be it the arms or another part of the body. In ghusl, on the other hand, water does not become used until it separates from the whole body because the entire body is regarded as a whole in ghusl.

**2. A small amount of water which has been used to remove najasa.** This is called *rinse water*, and it is widely accepted by consensus that it is considered to have the same status as the area, after it was washed, i.e. if the area is najis (still holds najasa) then the water is najis otherwise it is pure provided that:


- a. Rinse water should have no change in its attributes caused by the najasa.
- b. The weight of the water should not increase on leaving the najis object, after subtracting what the washed object would absorb and the amount of dirt which usually would dissolve in the water.
- c. Water should flow over the najis object. Hence, if the najis object is immersed in the water, the latter becomes najis. This rule has been deduced by the scholars of the Shafi'i school from the hadith "If one of you wakes up from sleep then he should not put his hand into the (water) vessel until he washes it three times, because one knows not where his hand has been during his sleep."<sup>3</sup>

Hence, the rinse water of things soiled with dog's saliva is najis if its attributes have changed. If the attributes of the rinse water have not changed, then if it is not the last (seventh) washing, the water is najis anyway, otherwise, it is pure according to the place from which it has separated.

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<sup>1</sup> Non-obligatory.

<sup>2</sup> The time of the intention of scooping in wudu is when intending the obligatory washing of the hands. In ghusl, this time is when intending to dip the hands into the water for the first time after the intention of obligatory ghusl, because washing the whole body in ghusl is obligatory without any order unlike wudu. If you scoop water then pour it on your hands with the intention of lifting major hadath off them, then there is no need for the intention of scooping after the intention of lifting major hadath off the body.

<sup>3</sup> Muslim, Vol. 1, The Book of Purification, Chapter 26/87, narrated by Abu Hurayrah .

Finally, if used water is accumulated until it is more than two qillas (195.112 liters), it is no longer used water.

### **Water that has changed as a result of mixing it with *non-bordering* pure substances**



If water is mixed with a pure (taher) substance so that its color, taste, or smell changes substantially, and it is no longer known except by the name of this substance, such as soap water, rose water, or juice water, this water is deprived of its purifying ability and becomes non-purifying pure water.

If a pure (taher) substance falls into water and this substance has the same properties as water (such as used water and rose water which has lost its smell due to aging) and the falling of the substance could have been prevented, then the guideline for determining whether the water is purifying or not is a process of mental assessment. Namely, we imagine a situation in which a pure substance that *moderately* differs in its attributes from water has fallen into it. If it seems that this would have changed one of the water's attributes then the water is non-purifying, otherwise it is purifying. Hence, the virtual change is equivalent to the perceptual change.

If no reason is known for a change in the attributes of water then it is still purifying pure water because it is quite possible that this change is from the length of storage.

If changed water, such as water mixed with saffron, is added to 2 qillas (195.11 liters) or more so that no change remains in it then it becomes purifying pure water.

There are pure substances which do not, if mixed with a small or *large* amount of water, deprive it of its purifying ability even if they cause a drastic change in its attributes. That is because such substances are impossible to prevent, originate in the water, or are equivalent to water in their purifying ability. These substances are:

1. Soil, even if intentionally thrown into water because it is equivalent to water in its purifying ability. Huthaifa  narrated that the Prophet  said "The whole earth was made as a mosque for us and its earth (soil) was made pure for us."<sup>1</sup>
2. Algae.
3. Minerals which settle in the water.
4. *Bordering substances* such as twigs, fat, or oil even if they cause a change in the water's attributes because fats or oils do not mix with water but remain floating, hence these are called *bordering substances*. As an example, consider a tree growing in water whose wood has a taste. The water in this case remains purifying pure water even though its taste, smell or color may change. If the attributes of water change due to a bordering substance that can dissolve in water, such as licorice or tea, so that it is no longer termed water, then it loses its purifying ability.
5. Sea salt even if intentionally thrown into the water because it originates from it. Rock salt, on the other hand, would deprive water of its purifying ability.
6. Tree leaves.

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<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, 4.

Furthermore, water does not lose its purifying ability if it changes by long storage. Scholars concluded all the above from the earlier mentioned hadith of the Prophet ﷺ about the sea: "Its water is pure (tahir) and its dead is permissible (to be eaten)."

Imam Al-Nawawi رحمه الله said: "They concluded that water which has been changed by something that is impossible to prevent, is purifying pure water, and this ruling is generally agreed upon."<sup>1</sup>

### III. Najis water

Najis water is two types:

#### A small amount of water in which a najis substance has fallen

Be it an adjacent or dissolving (non-bordering) substance. This water becomes najis by mere contact with najasa even if its attributes have not changed. It does not matter whether the najis substance is *inexcusable* or *excusable* in prayer only. The evidence for this is the Prophet's ﷺ hadith which is narrated by Ibn Umar رضي الله عنه: "If (the amount of) water is two qillas (195.112 liters, or more) it will not retain najasa."<sup>2</sup> Hence, if the amount of water is less than that it will become najis<sup>3</sup>. However, the following najis substances do not make a small amount of water najis:

1. What is indiscernible by the eye such as fine spray.
2. Dead creatures without flowing blood<sup>4</sup> if they fall into the water of their own accord or because of the wind, or if they grow in it<sup>5</sup>, provided they do not change the water's attributes. However, if these are thrown into the water (even by a child or an animal), or they are so many that the water's attributes have changed, then this water becomes najis regardless of whether it is a small or large amount of water. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If a fly falls into one's drink, he should dip it (in the drink) then take it out, for one of its wings carries disease and the other the cure."<sup>6</sup>

It should be noted that the creature itself is najis because it is dead. However, water does not become najis since it is difficult to keep these creatures away from water. This rule, i.e. the purity of water into which a dead creature without flowing blood falls (except if it changes the water's attributes) is generalized to all liquids and foods due to the above hadith, and the fact that it is a widespread problem.

3. If a cat whose mouth has become najis is gone for a while and may have drunk from a large amount of water or running water, then its mouth will not cause water to be najis. It should be noted that the cat itself is not najis, for Kabshah

<sup>1</sup> Al-Majmu', Vol. 1, page 129 and 150.

<sup>2</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 50/67.

<sup>3</sup> Liquids other than water, and other wet substances, will become najis as soon as it comes into contact with the najasa, whether or not the amount of such liquid is more than two qillas and whether or not its attributes are changed.

<sup>4</sup> Such as flies, bees, ants, bugs, beetles, mosquitoes, and cockroaches.

<sup>5</sup> Such as worms growing in water. By the same token, worms growing in fruit, vinegar and cheese are also excused.

<sup>6</sup> Al-Bukhari, Vol. 3, The Book of The Beginning of Creation, Chapter 17/3142

bint Ka'eb narrated: "That Abu Qatada entered her (house), then she mentioned something to the effect of: I poured water for his wudu and a cat came to drink from it and he held the vessel for it until it finished drinking. Kabsha said: He saw me looking at him, and said: 'Are you surprised my niece?' I said: 'Yes.' He said: 'The Prophet ﷺ said: They (cats) are not najis, they are of those who wanders about (your houses) .'"<sup>1</sup>

4. A little boy who soiled himself and then went away and is likely to have been cleaned and changed (by his mother for example).
5. Small amounts of the smoke of burned najasa, such as *jalla* (cow manure).
6. Small amounts of the dust of *sarjeen* (sheep manure). The dust of sarjeen does not even make wet body parts najis.
7. Vapors of najis materials except if they leave a trace such as a change in color, taste or smell.

### **A large amount<sup>2</sup> of water in which a soluble najis substance has fallen changing one of its three attributes**

The evidence for this is the scholarly consensus. If the najis substance does not change the water's attributes then it is still purifying pure water. Also, the Prophet ﷺ, when he was asked about water and what animals and beasts may do to contaminate it, said: "If water is two qillas (195.112 liters, or more) it will not retain najasa."<sup>3</sup>

### **The status of water one is in doubt about<sup>4</sup>**

If one is certain about the original purity of a body of water, yet doubts or wonders if it has become najis then it can be used for wudu because of the certainty in its original purity. If, however, one is certain that a body of water is najis, yet doubts or wonders if it has been purified then it cannot be used for wudu because of the certainty in its original state of najasa. If one does not know whether the water is pure or najis then it can be used because all things in their origin are considered pure. The evidence for this<sup>5</sup> is that Abbad ibn Tamim narrated: "That his uncle asked the Prophet ﷺ about the man who thinks he has passed wind during prayer. The Messenger of Allah ﷺ said: 'He should not leave his prayer unless he hears a sound or smells something.'"<sup>6</sup>

<sup>1</sup> Al-Nasa'i, Vol. 1, page 55.

<sup>2</sup> A large amount of water is one which is equal to or greater than two qillas. The volume of two qilla in liters has been defined earlier.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 50/67. In a hadith (narrated) by Ibn Umar رضي الله عنه.

<sup>4</sup> Doubt according to scholars of fiqh is to hesitate between two sides of an argument, even if one side outweighs the other. According to Al-Usuliyeen, doubt is only if both sides of the argument are equal; speculation is the argument that outweighs the other and illusion is the argument that is outweighed. To investigate is to make ijtihaad searching for the truth, and seeking the purpose.

<sup>5</sup> Adopting the certainty in the original state and ignoring doubt in water, hadath, dress, divorce, and other matters.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 4/137.

If one cannot tell which one of two containers of water is pure (taher) and which is najis<sup>1</sup> then one should make *ijtihad* (personal reasoning) to determine which one thinks is the pure one (due to evidence like change in color, smell or taste or dog's foot prints being closer to one of them). In this case, it is recommended to throw away the water one thinks is najis before using the pure one, so that one does not change one's mind later or make a mistake and use the najis one instead. If one makes wudu with one of the waters without making *ijtihad*, and it turns out to be truly pure, one's wudu is **not** valid because one did not make *ijtihad*<sup>2</sup>.

If two persons are unsure of the status of two waters and their reasonings (*ijtihad*) lead to different conclusions, each of them should use the one he thinks is pure, and in this case one cannot pray behind (follow in a congregational prayer) the other since he believes that his friend's wudu (and hence his prayer) is void.

If a trustworthy person tells you that certain water, dress, food or anything else is najis and provides a convincing reason for this you should rule the water filthiness since the view of this person is acceptable<sup>3</sup>. In this case, you cannot make *ijtihad*, because having information is superior to *ijtihad*. If the person does not provide a proof, but he is a scholar of fiqh in the same school as yours, you must accept his information.

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<sup>1</sup> Likewise, if one suspects two foods, one is pure and the other is najis, then one should investigate because the origin is the permissibility. Hence they are like the two types of water.

<sup>2</sup> Similarly, any worship that one performs in a state of doubt without making *ijtihad* is not valid even if it coincided with the right thing.

<sup>3</sup> This is taken as giving information rather than a testimony. Therefore the information from a woman or a blind man are accepted but not that of the unbeliever, the immoral, the insane, or the child.

# ADDENDUM

## The use of gold and silver utensils

1. It is forbidden (haram) to use utensils made of gold or silver except in dire need. Mujahed narrated that Ibn Abu Layla said: "We were with Huthayfa رضي الله عنه and he mentioned that the Prophet ﷺ said: 'Do not drink out of gold or silver vessels, and do not wear clothes made of silk or *deebaj*<sup>1</sup> for these things are for them (the disbelievers) in this world and for you in the Hereafter.'"<sup>2</sup> Also, Umm Salamah رضي الله عنها narrated that the Prophet ﷺ said: "Whoever drinks from a utensil made of gold or silver will be pouring fire from Hell into his stomach."<sup>3</sup>
2. It is forbidden to buy or possess utensils made of gold or silver since what one may not use, one may not buy or possess either. It is also forbidden to use a pen or watch made of gold except as an ornament (for women).
3. It is forbidden to use anything soldered<sup>4</sup> or inlaid with gold, in small or a large amounts, because of the above mentioned hadith of Umm Salamah رضي الله عنها. Scholars of fiqh have correlated other uses on eating and drinking. Evidence is available that permits mending with silver only, but gold remains forbidden.

It is permitted to mend things with a small amount of silver when it is not intended for decoration. Asem Al-Ahwal narrated: "I saw the cup of the Prophet ﷺ with Anas ibn Malek and it had broken, and he had mended it with silver (strings)." He went on to say, that the cup was a good wide cup made of Nadar wood. He said: "Anas said: 'I gave water to the Prophet in this cup more than so-and-so many (times).'"<sup>5</sup>

If the area of silver is large and has been applied for decoration then it is forbidden. If it is large and has been applied for repair then it is makrooh. If the area of inlaid silver is small and for decoration, it is also makrooh. The basis in determining whether an inlay is small or large is left to the accepted norm. If one is unsure whether or not the silver inlay in question is small or large, then it is permitted (since the basis is permission).

4. It is **not** forbidden to use an object coated (e.g. electroplated) with gold or silver if none of the gold or silver coat can be collected when subjected to fire. That is if the layer is insignificant.

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<sup>1</sup> A type of silk.

<sup>2</sup> Al-Bukhari, Vol. 5, The Book of Drinks, Chapter 27/5310.

<sup>3</sup> Muslim, Vol. 3, The Book of Dress and Ornament, Chapter 1/2.

<sup>4</sup> Is one which has been cracked so a plate is put on it to bind it and preserve it. Alternatively, the crack may be tied with a string of silver. This string, or that plate is the patch. Scholars of fiqh have generalized the patch to include what is intended for decoration without a crack or the like.

<sup>5</sup> Al-Bukhari, Vol. 5, The Book of Drinks, Chapter 29/5315.



## Legal status of utensils made of rare stones

It is permissible (mubah) to use and possess these utensils since there is **no** evidence concerning them. However, it is more likely that it is makrooh to use such utensils since their use can lead to show and hurting the feelings of the poor.

## Legal status of the utensils of the unbelievers and their clothes

It is makrooh to use the utensils of the unbelievers, including *the people of the Scripture*, or their clothes. Abu Tha'laba Al-Khushani narrated: "I said to the Prophet ﷺ: 'We live in a land ruled by the people of the Scripture, can we eat using their utensils?' The Prophet ﷺ said: 'As for what you mentioned concerning the people of the Scripture, if you can get utensils other than theirs, do not eat out of theirs, but if you cannot then wash their utensils and eat out of them.'"<sup>1</sup> Furthermore, the people of the Scripture do not avoid najasa. Yet, it is not prohibited to use their utensils because the Prophet ﷺ allowed them into the mosque, used their utensils, and ate their food. It should be noted that the meaning of Allah's saying "Truly the pagans are filth (najasa),"<sup>2</sup> has to do with the impurity of their beliefs and religion, not their bodies and utensils.

## Some recommended acts

### Siwak

#### Its Definition:

**Literally:** Siwak as a verb is to rub. As a noun, it is the stick used to brush one's teeth with. It is also called *miswak*.

**Legally:** Siwak is using a twig, or the like or indeed anything rough<sup>3</sup>, in rubbing the teeth and the surrounding gums. It is best performed using something hard which has been moistened with water. It is best to use *arak* then palm twigs, then pomegranate twigs, for what Abu Khayra Al-Sabahi rahimahullah narrated: "I was with the delegation who came to the Prophet ﷺ and he supplied us with twigs from arak tree to make siwak with."<sup>4</sup> Second in place is palm tree then pomegranate tree. Al-Mutwalli said: "It is recommended to be performed with a fragrant stick."

#### How to use siwak

Hold the damp siwak with your right hand and start (brushing) from the right side of your mouth for Aisha narrated: "The Prophet always started with right when putting

<sup>1</sup> Al-Bukhari, Vol. 5, The Book of Slaughtering and Hunting, Chapter 4/5161.

<sup>2</sup> Al-Touba, 28.

<sup>3</sup> In which case a toothbrush applies.

<sup>4</sup> Narrated by Al-Tabarani in Al-Kabir, Majma' Al-Zawa'id (The Collection of Supplements), Vol. 2, page 100.

on his *khuff* (shoes), combing his hair, purifying himself and all of his matters.”<sup>1</sup> Then, brush from side to side the outer and inner sides of the teeth, pass the siwak on the edges of your teeth and the tops of your molars, and pass it gently on the roof of your mouth. Before using siwak, you should make the intention of the sunna of siwak for Allah says: “So take that which the Messenger assigns to you and refrain from that which he has forbidden you to do.”<sup>2</sup>

### Legal status of siwak

1. *Confirmed sunna* before wudu and prayer. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said “Were I not afraid that it would cause hardship to my Umma<sup>3</sup>, I would have ordered them to use siwak before each prayer.”<sup>4</sup> Also, on rising from sleep in the day or night. Huthayfa رضي الله عنه said: “The Prophet ﷺ would brush his teeth with siwak whenever he woke up at night.”<sup>5</sup> Siwak is also recommended for bad breath due to not talking for a long time, not eating for a long period, or eating something which has a bad odor like garlic and onions.
2. Recommended for reading Quran, making thikr, or when one’s teeth become discolored. Thammam ibn Al-Abbas رضي الله عنه narrated that the Prophet ﷺ said: “Why do you come to me with plaque on your teeth, use siwak.”<sup>6</sup> Siwak is also recommended before going to sleep and when entering one’s home. Aisha رضي الله عنها narrated that: “When the Prophet ﷺ came home, he would start with brushing his teeth with siwak.”<sup>7</sup> Finally, siwak is recommended when entering a mosque.
3. Makrooh for a fasting person after mid-morning because Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: “By him in whose hand is my soul ! The breath of a fasting person is sweeter to Allah than the smell of musk.”<sup>8</sup> Using the word sweeter is proof that it should be kept. Also, since it is the result of an act of worship, it is makrooh to cleanse it just like the blood of martyrs.

### Advantages of siwak

Aisha said that the Prophet ﷺ said: “Siwak is purifying for the mouth and pleasing to Allah.”<sup>9</sup> Also, Ahmad narrated from Ibn Abbas رضي الله عنه that the Prophet ﷺ said: “I was continuously ordered to use siwak until I thought that Quran would be revealed concerning it.”<sup>10</sup>

<sup>1</sup> Al-Bukhari, The Book of Wudu, Chapter 30/166.

<sup>2</sup> Al-Hashr, 7.

<sup>3</sup> Nation.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 15/42.

<sup>5</sup> Muslim, Vol. 1, The Book of Purification, Chapter 15/46.

<sup>6</sup> Musnad Al-Imam Ahmad, Vol. 1, page 412.

<sup>7</sup> Muslim, Vol. 1, The Book of Purification, Chapter 15/44.

<sup>8</sup> Al-Bukhari, Vol. 2, The Books of Fasting, Chapter 9/1805.

<sup>9</sup> Al-Bukhari, Vol. 2, The Books of Fasting, Chapter 27.

<sup>10</sup> Musnad Al-Imam Ahmad, Vol. 1, page 237.

## Other recommended manners

1. Moisturizing the skin every other day, with olive oil, or any other type of skin moisturizer.
2. Lining the eye lids with *kohl* an odd number of times.
3. Trimming the mustache until the redness of the upper lip is visible and it is makrooh to shave it. Al-Nawawi said: "What's best is to clip the mustache until the edge of the lip is visible but not to shave it altogether."
4. Paring/clipping the nails. Abu Hurayrah رضي الله عنه narrated that: "The Prophet ﷺ used to clip his nails and trim his mustache on Friday before going out for the Friday prayer."<sup>1</sup> It is advised to start with the hands before the feet and to start with the index finger of the right hand, then the middle finger then the ring finger then the small finger and finally the thumb. Going back to the left hand starting with its small finger then the ring finger and so on and ending with the thumb. Then one should start with the small toe of the right foot and end with the small toe of the left foot.
5. Removing axillary hair. Al-Nawawi said: "It is best to remove the entire hair from its roots if one can endure that." It can also be achieved by shaving or any other hair-removal method. It is recommended to start with the right armpit as indicated in the hadith of *starting with the right*<sup>2</sup>.
6. Shaving the pubic hair. Anas ibn Malek رضي الله عنه said: "We have been ordered not to leave trimming the mustache, clipping the nails, removing the axillary hair, and shaving the pubic hair for more than forty nights."<sup>3</sup> It is sunna to bury the removed hair, nails or blood.
7. Combing the beard. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Whoever has hair should take care of it."<sup>4</sup>
8. Combing the hair and applying oil (or another conditioner) to it every other day, because of the above mentioned hadith.
9. Dying the hair with red or yellow. Abu Hurayrah رضي الله عنه narrated that that Prophet ﷺ said: "The Jews and the Christians do not dye (their gray hair) so differ from them."<sup>5</sup> However, dying the hair black is forbidden (haram) for both men and women. Jaber رضي الله عنه said: "Abu Quhafa was brought on the *day of the opening of Mecca* with his head and beard as white as a white flower. The Prophet ﷺ said: 'Change this (man's hair) with something and avoid black.'<sup>6</sup> However, it is permissible to dye the hair black for jihad. In fact, it is required by a fighting man as a show of strength before the enemy. This has been deducted from the Prophet's ﷺ not deploring Abu Dujana's رضي الله عنه action, during *the battle of Uhud*, when he

<sup>1</sup> Revealed by Al-Tabari in Al-Awsat, Majma' Al-Zawa'id (The Collection of Supplements), Vol. 2, Page 170.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 30/166.

<sup>3</sup> Muslim, Vol. 1, The Book of Purification, Chapter 16/51.

<sup>4</sup> Abu Dawood, Vol. 4, The Book of Combing (The Hair), Chapter 3/4163.

<sup>5</sup> Al-Bukhari, Vol. 3, The Books of Prophets, Chapter 51/3275.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 16/51.

rightfully took the Prophet's ﷺ sword and started to saunter among the rows. The Prophet ﷺ told him: "This type of walk is makrooh by Allah except in this situation."<sup>1</sup>

10. It is sunna for a married woman to dye her hands and feet with henna for the known hadith concerning this. However, men are prohibited from dying with henna, unless for medical reasons so as not to imitate women. It is narrated by Ibn Abbas that: "The Prophet ﷺ cursed men who mimic women and women who mimic men."<sup>2</sup> It is also makrooh for a non-married woman, unless it is for medical reasons, even if a *non-mahram*<sup>3</sup> will not see her, because it may lead to questionable feelings.

Most of the above sunnas are gathered in the hadith narrated by Aisha ؓ that the Prophet ﷺ said: "Ten (things) come naturally: Trimming the mustache, growing the beard, using siwak (or brushing one's teeth), rinsing the nose with water, cutting the nails, washing the knuckles, removing the axillary hair, shaving the pubic hair, and making istinja' with water." Mus'ab ؓ added: "She forgot the tenth which should be rinsing the mouth with water."<sup>4</sup>

## Makrooh practices

1. It is makrooh to shave part of the hair and leave other parts. Abdullah ibn Umar ؓ narrated that: "The Prophet ﷺ forbade them to partially shave their hair."<sup>5</sup> However, there is no harm in shaving the whole head out of cleanliness or letting the hair grow for those who are willing to comb and oil it. The evidence that it is permitted to shave the whole head is that Ibn Umar ؓ narrated: "The Prophet ﷺ saw a boy who had shaved part of his head and left the other. The Prophet ﷺ forbade him to do that and said: 'Shave it all or leave it all.'"<sup>6</sup> It is sunna for a man to shave his head after performing the actions of hajj or umra, and for a baby-boy on his seventh day. Finally, it can become obligatory if one has made a vow to do so.
2. In the Shafi'i school of thought, it is makrooh to pluck or remove the beard. Moreover, Imam Al-Shafi'i regards this forbidden. Ibn Umar ؓ narrated that the Prophet ﷺ said: "Trim the mustache and grow the beard,"<sup>7</sup> and he also said: "Differ from the pagans, trim your mustaches and grow your beards."<sup>8</sup> Also, Abu Hurayrah ؓ narrated that the Prophet ﷺ said: "Trim the mustache and grow the beard, be different from the Majoos."<sup>9</sup> If a woman is afflicted with facial hair as in a beard, mustache, or hair under her lower lip, she can remove it. It is possible to compare

<sup>1</sup> Majma' Al-Zawaed, Vol. 6, page 109.

<sup>2</sup> Al-Bukhari, Vol. 5, The Book of Dress, Chapter 59/5546.

<sup>3</sup> Any man a woman can marry, such as her marriageable kins.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 16/56.

<sup>5</sup> Al-Bukhari, Vol. 5, The Book of Dress, Chapter 70/5577.

<sup>6</sup> Abu Dawood, Vol. 4, The Book of Combing (The Hair), Chapter 14/4195.

<sup>7</sup> Muslim, Vol. 1, The Book of Purification, Chapter 16/52.

<sup>8</sup> Muslim, Vol. 1, The Book of Purification, Chapter 16/54.

<sup>9</sup> Muslim, Vol. 1, The Book of Purification, Chapter 16/55.

the hair on a woman's arms and legs to this, since the basis is the non-existence of such hair, and because removing it will not lead to incorrect feelings or actions.

3. It is makrooh to pluck gray hair. Amru ibn Shu'ayb narrated from his father, from his grandfather, that the Prophet ﷺ said: "Do not pluck gray hair for verily, each hair that goes gray in Islam ..." and in a narration by Sufian: "... Becomes light for its owner on the day of judgement," and in a narration by Yahya "... Allah will write because of it a good deed for that person and erase a bad deed."<sup>1</sup>

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<sup>1</sup> Abu Dawood, Vol. 4, The Book of Combing (The Hair), Chapter 17/4202.

# GOING TO THE BATHROOM

## Proper manners of going to the bathroom

1. It is recommended to take off anything which has the name of Allah on it even if it is inside a locket except if the case is made of material which prevents odor from reaching it. It is narrated by Anas ibn Malek رضي الله عنه that: "the Prophet ﷺ used to take off his ring whenever he went to the bathroom."<sup>1</sup> It is known (from Al-Sahihain<sup>2</sup>) that the inscription on his ring was "Muhammad the Messenger of Allah."<sup>3</sup>
2. It is recommended to wear something on one's feet.
3. It is recommended to cover the head, for both men and women, because the bathroom is the refuge of Shaytan. Proof for the above is what Al-Bayhaqi narrated that Habib ibn Saleh said: "The Prophet ﷺ used to put on his khuff and cover his head when he entered the bathroom."<sup>4</sup>
4. It is recommended to prepare something to cleanse yourself with before sitting down, because Aisha رضي الله عنها narrated that: "The Prophet ﷺ said: 'When one of you goes to bathroom he should take three stones with him.'"<sup>5</sup>
5. Seeking privacy. It is recommended to seek cover even if there is no one to cover from, otherwise it is obligatory. The cover, or screen, should be behind a person. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "... Whoever goes to bathroom should seek cover, and if he finds none he should at least put a heap of sand behind him."<sup>6</sup> The height of the barrier should be no less than two thirds of a human arm (about 32 cm), and should not be farther than three arms (about 1.5 m). It may be a wall, ditch, or a heap of sand. If one lets down his garment in the direction of the *qibla* then it will suffice. If one is in the desert or outdoors, he should walk away as far as possible, for Ya'la ibn Murrah رضي الله عنه narrated that: "The Prophet used to go far away when he went to bathroom."<sup>7</sup>
6. It is recommended to enter with the left foot and to step out with the right foot. One should do the same if outdoors when one reaches the place where he intends to sit. The author of Al-Muhathab said: "Because the left foot is for that which is noxious and the right one is for other things."
7. Upon entering, it is recommended to say: "By the name of Allah, I seek refuge in You from the male Shaytan and the female Shaytan." [1] Anas ibn Malek رضي الله عنه narrated that the Prophet ﷺ said: "The veil between the eyes of *jinn* and the *awra*

<sup>1</sup> Al-Tirmithi, Vol. 4, The Book of Dress, Chapter 16/1746.

<sup>2</sup> Muslim and Bukhari.

<sup>3</sup> See Al-Bukhari, Vol. 5, The Book of Dress, Chapter 52/5539.

<sup>4</sup> Al-Bayhaqi, Vol. 1, page 96.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 21/40.

<sup>6</sup> Abu Dawood, The Book of Purification, Chapter 19/35.

<sup>7</sup> Ibn Maja, Vol. 1, The Book of Purification, Chapter 22/333.

of humans is to say: 'Bismillah (in the name of Allah).'"<sup>1</sup> Al-Bukhari narrated from Anas ؓ that: "The Prophet ﷺ used to say when he went to the bathroom: 'O Allah, I seek refuge in you from the male Shaytan and the female Shaytan.'"<sup>2</sup> On leaving, one should say: "(O Lord) Your forgiveness. Praise be to Allah Who rid me of harm and cured me." [2] Aisha ؓ said: "The Prophet ﷺ used to say when leaving the bathroom: '(O Lord) Your forgiveness.'"<sup>3</sup> Also, Anas ؓ narrated that: "The Prophet ﷺ used to say on leaving the bathroom: 'Praise be to Allah Who rid me of harm and cured me.'"<sup>4</sup> One can add: "O Lord, purify my heart from hypocrisy and guard my private parts against sin." [3]

8. It is recommended not to raise one's garment until one has squatted. Ibn Umar ؓ said: "When the Prophet ﷺ would go to the bathroom he would never raise his garment until he squatted down to the ground."<sup>5</sup> It is also recommended when one is finished to lower one's garment before standing up.
9. It is recommended to keep one's legs apart to avoid contamination because of the hadith about the torment of the grave which says: "... One of them used to not avoid contamination from his urine."<sup>6</sup> One should put his weight on one's left leg when squatting and relax his right foot, because Suraqah ibn Ja'sham ؓ said: "The Prophet ﷺ taught us to put our weight on our left foot and relax the right one when we go to the bathroom."<sup>7</sup>
10. Males should get rid of any residual urine if it seems like some of it remains by hemming, waiting for a few moments, or walking a few steps, provided this does not reach the level of obsession. The evidence for this is what was mentioned in the hadith of the torment of the grave, in the narration of Al-Nasa'i which says: "... One of them used to not cleanse himself of his urine."<sup>8</sup> Females need not do this but should remove any *wadi*.<sup>9</sup>
11. It is makrooh to urinate facing the breeze (if outdoors) in case the spray will come back on one. Therefore, it is recommended to turn one's back towards the wind.
12. It is makrooh to urinate or defecate in a hole or den for Abdullah ibn Sarjis ؓ said: "The Prophet ﷺ prohibited us to urinate into holes." He said: "They asked Qatada: 'What is wrong with urinating into holes?' He answered: 'They are believed to be the homes of jinn.'"<sup>10</sup> Also, a creature may come out and sting one or splash one's urine back onto him.

<sup>1</sup> Revealed by Al-Tabarani in Al-Awsat, The Collection of Supplements, Vol. 1, Page 205.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 9/124.

<sup>3</sup> Ibn Maja, Vol. 1, The Book of Purification, Chapter 10/300.

<sup>4</sup> Ibn Maja, Vol. 1, The Book of Purification, Chapter 10/301.

<sup>5</sup> Al-Tirmithi, Vol. 1, The Book of Purification, Chapter 10/14.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 87/1312. This hadith was mentioned earlier as revealed by Muslim.

<sup>7</sup> Al-Bayhaqi, Vol. 1, page 96.

<sup>8</sup> Al-Nasa'i, Vol. 4, page 106.

<sup>9</sup> A white thick odorless discharge preceding or following urination, sometimes occurs as the result of carrying something heavy.

<sup>10</sup> Abu-Dawood, Vol. 1, The Book of Purification, Chapter 16/29.

13. It is makrooh to urinate or defecate in the road, for Mu'ath ibn Jabal رضي الله عنه said: "The Prophet ﷺ said: 'Avoid the three deeds that cause one to be cursed: Defecating in paths that lead to water sources, in roads, or in shade.'"<sup>1</sup>
14. It is makrooh to urinate in a place where people gather (for discussions) because it is harmful to them.
15. It is makrooh to urinate or defecate under a fruit-bearing tree whose fruits are edible, whether at the time of bearing fruit or not, to keep the falling fruits from contamination. Defecation is less makrooh in this case because it can be seen and hence the contaminated fruit can be avoided or cleansed.
16. It is makrooh to urinate on hard surfaces so as not to get back splashed. Abu Musa Al-Ash'ari رضي الله عنه said: "I was with the Prophet ﷺ one day, and he wanted to urinate so he came to a soft ground next to the base of a wall and urinated and said: 'If one of you wants to pass urine he should choose a (proper) place for that.'"<sup>2</sup>
17. The legal status of defecating and urinating in water:
  - a. Stagnant (still) water, be it a small or large amount: It is makrooh to pass urine into. Jaber رضي الله عنه said that: "The Prophet ﷺ prohibited passing urine into still water."<sup>3</sup>
  - b. Running water: If it is a small amount then it is prohibited to pass urine in it because this will make it najis for oneself and for others, however, if it is a large amount then it is not prohibited but it is best to avoid it. The prohibition of defecation near water goes without saying and is included within the prohibition of urinating in paths leading to water sources.
  - c. Water donated for public use (*sabil*). It is prohibited to defecate or urinate in such water unless it resembles a sea in size. The same is true for water owned by others.
18. There are three rules for urinating or defecating facing the qibla or with one's back to it:
  - a. It is prohibited to urinate or defecate with one's face or back towards the qibla when outdoors (e.g. desert) and there is no barrier to screen one or there is a barrier that does not satisfy the conditions. Abu Ayub Al-Ansari رضي الله عنه said: "The Prophet ﷺ said: 'If one of you wants to go to the bathroom, he should not face the qibla nor turn his back towards it, face east or west.'"<sup>4</sup> Also, it is narrated by Abu Hurayrah رضي الله عنه that: "The Prophet said: 'I am like a father to you, teaching you: If one of you wants to go to the bathroom, he should not face the qibla or turn his back towards it. He should not clean himself with his right hand.' He used to tell us to use three stones, and prohibit the use of manure (to clean ourselves with)."<sup>5</sup>

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 14/26.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 2/3.

<sup>3</sup> Muslim, Vol. 1, The Book of Purification, Chapter 28/94.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 11/144.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 4/8.



- b. It is best **not** to urinate or defecate with one's face or back towards the qibla even if there is a barrier.
  - c. It is not prohibited, makrooh, or *foregoing what is fitter* to urinate or defecate with one's front or back towards the qibla in places intended to relieve oneself (bathrooms), but it is more polite to avoid it, and to sit turning to the side slightly if this is possible without trouble.
19. It is makrooh to talk except for necessity. Hence, if one sneezes, for example, one should say : "Alhamdulillah" in his heart, and if one greets you it is makrooh to answer. Ibn Umar ؓ said: "A man gave salam to the Prophet ﷺ while he was urinating, and he did not answer him."<sup>1</sup> Also, Abu Sa'id Al-Khadari ؓ narrated that he heard the Prophet ﷺ saying: "No two men should go out to bathroom, exposing their awra, and talking to each other, because Allah detests that."<sup>2</sup>
  20. It is makrooh to urinate while standing unless there is an excuse. Aisha ؓ said: "Do not believe whoever told you that the Prophet ﷺ used to urinate while standing. He never urinated except seated."<sup>3</sup> Muslim narrated from Huthaifah that, he said: "I was with the Prophet ﷺ walking and he came to a dump behind a wall and stood like anyone would stand and urinated ...."<sup>4</sup> Al-Khatibi said: "This may have been due to pain in his back or his knees or because he did not find a place suitable for sitting or to indicate that it is permissible and not forbidden (to urinate while standing)."
  21. It is makrooh to sit for a long time. Luqman ؓ said "Prolonged sitting for defecation hurts the liver, and causes hemorrhoids, so sit for a short time and leave."<sup>5</sup>
  22. It is makrooh to look at the sky or at one's private parts, or to the waste matter, except for necessity. It is also makrooh to handle your private parts unnecessarily.
  23. It is makrooh to cleanse oneself with water in the same place of defecating in case najasa spatters back on to one. Abdullah ibn Al-Mugaffal said that the Prophet ﷺ said: "No one should urinate in the place he bathes, then perform wudu there, because most obsessions are the result of this."<sup>6</sup> However, there is no harm in doing that in places intended for it such as toilets because they do not cause water to spatter onto you.
  24. It is forbidden to urinate in the mosque even into a receptacle, because urine is najis and mosques should be kept protected from it.
  25. It is forbidden to urinate onto a grave, since its soil has intermingled with the dead body, and it is makrooh to urinate near it.

<sup>1</sup> Al-Tirmithi, The Book of Purification, Chapter 67/90.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 7/15.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 8/12.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 22/74.

<sup>5</sup> Al-Majmu', Vol. 2, page 98.

<sup>6</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 15/27.

26. It is forbidden to urinate on that which cannot be used, because of their inherent value, for cleaning the private parts, such as bones, food, and other things that will be explained in the next chapter.

# ISTINJA' AND ISTIJMAR

## Definition

**Literally:** To cut and remove harmful things (such as najasa). Istijmar is derived from the word *jimar* which means small stones. Istinja' is done with water and stones while istijmar is done only with stones.

**Legally:** Istinja' and istijmar is to clean away what comes out of one's private parts.

## Legal status of istinja' and istijmar

Istinja' and/or istijmar is obligatory after defecating or urinating because Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Clean yourselves from urine because it is the most common cause of torment of the grave,"<sup>1</sup> and because of the aforementioned hadith narrated by Abu Hurayrah who said that the Prophet ﷺ said "I am like a father to you ... and he used to tell us to use three stones." Urine and feces are najasa that is **not** difficult to remove, therefore, prayer is not correct if one or both remain on the body just as with other types of najasa.

It is also obligatory to make istinja' or istijmar when any najasa passes from the private parts, even if it is something uncommon like blood, wadi, or *mathi*<sup>2</sup>. Hence, if a stone or a worm with no moisture is passed then it is acceptable not to make istinja'.

Istinja' is usually performed with water, stones, or any pure dry solid object that has friction (i.e. that does not slip or slide against the area) provided it does not *deserve respect* (for its value). Hence, liquids other than water, soft coal, soft soil, smooth pine, and human food are excluded. Although water is for human consumption, it can be used in istinja' because it is available in abundance and because the Prophet ﷺ used it. Aisha رضي الله عنها said: "Order your husbands to clean their private parts with water because I am shy to tell them. The Prophet ﷺ used to do so."<sup>3</sup> The food of jinn, such as bones (even if burned), is also excluded, for Salman رضي الله عنه said: "The Prophet ﷺ prohibited us from: Facing the qibla when passing feces or urine, making istinja' with the right hand, making istinja' with less than three stones, or making istinja' with manure or bones."<sup>4</sup> Other respectable matters include books of Shari'a, and other beneficial things, anything upon which a glorified name is written, or pieces from a mosque.

It is sunna to use both stones and water. In this case, stones are used first then water.

It is valid to make istijmar using a najis object if water is used afterwards.

<sup>1</sup> Al-Darqutni, Vol. 1, page 128.

<sup>2</sup> A thin discharge secreted as a result of non-orgasmic sexual excitement.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 15/19.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 17/57.

If one wants to use exclusively stones or water then water is best because it can remove both the mass of the najasa as well as its trace, whereas stones can only remove the mass of najasa. If water is used first, then stones should not be used afterwards because they will have no benefit. It is valid to use stones only, whether or not water is available, whether or not one is settled or travelling, and whether or not one is healthy or sick.

## Conditions for the validity of istijmar (using stones only)

1. The najis waste should not have dried.
  2. The najis waste should not move from where it exited .
  3. One should not become soiled with another source of najasa.
  4. For men, the waste should not spread beyond the inner buttocks (that which does not show when standing), and the urine should not spread beyond the glans (the head of the penis). For women, the condition for wiping with stones only or something similar (e.g. dry tissue) is that what comes out (urine or waste) does not spread beyond what appears when she sits if she is a virgin, or what is further inwards if she is a married woman. However, it is more likely for the najasa to spread when a woman urinates, hence it is not valid for a woman to clean herself with stone (or tissue) after urinating and she should use water. As for waste she can if she fulfills the conditions.
  5. Water should not reach the najis exit.
  6. Istijmar should be done with three wipes even if one is enough to clean. Each wipe should be with a separate stone, or with one side of a three sided stone, since the above mentioned hadith by Salman prohibits making istinja' with less than three stones. It is better to use three stones (rather than three edges of one stone) because there is a hadith about it. If three stones are still not enough then one can use more.
- If one of the above conditions is nullified then water **must** be used.

## The sunna acts of istinja'

1. An odd number of wipes is recommended if wiping three times is not sufficient and more is needed. Abu Hurayrah رضي الله عنه narrated that: "The Prophet ﷺ said: 'Whoever makes wudu should rinse his nose with water and whoever makes istijmar should do it with an odd number (of stones).'"<sup>1</sup> Doing anything an odd number of times is sunna.
2. The stone should encompass the whole area.
3. Making istinja' with the left hand, for Abu Qatada رضي الله عنه narrated that: "The Prophet ﷺ said: 'If anyone of you urinates, he should not hold his penis nor make istinja' with his right hand, and (while drinking) one should not breathe into the cup,'"<sup>2</sup> and

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 24/159.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 19/153.

for the above mentioned hadith: "I am like a father to you ..." and Salman's hadith. Hence it is recommended not to use one's right hand for any matter related to istinja' except as absolutely needed.

4. Using the middle finger when cleaning the anus with water because it is more efficient.
5. Beginning with the front then the back when using water, and beginning with the back then the front when cleaning with stones.
6. Rubbing the hand with earth or soil then washing it. Washing the hand with soap is equivalent to this by comparison (*qiyas*). Maymuna رضي الله عنها said: "The Prophet ﷺ made wudu after being in a state of janaba. He poured water with his right hand over his left hand twice or thrice and then washed his private parts and rubbed his hand with the earth or a wall twice or thrice."<sup>1</sup>
7. Sprinkling the private parts as well as the underwear with water to prevent *wisswas*<sup>2</sup>. Abu Dawood narrated from Al-Hakam ibn Sufian that: "The Prophet ﷺ used to perform wudu and sprinkle himself with water after passing urine."<sup>3</sup>

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<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Ghusl, Chapter 16/270.

<sup>2</sup> An obsession with the idea of tahara (purification).

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 64/166.

# WUDU (ABLUTION)

## Definition

**Literally** : Cleanliness and radiance.

**Legally** : Using water to wash certain parts of the body commencing with an intention.

*Wadu* refers to the water used for wudu.

## Evidence

Allah says: "O you who believe! when you go to pray, wash your faces, and your arms to the elbows; wipe your heads (with water); and (wash) your feet to the ankles."<sup>1</sup>

Ibn Umar رضي الله عنه narrated: "I heard the Prophet ﷺ saying: 'A prayer is not accepted without purification.'"<sup>2</sup>

## Legal status

Wudu is obligatory for the following:

1. Prayer- Obligatory (fard) or non-obligatory (nafl) - and for the *prostration of Quran recital* and the *prostration of thanks*.
2. Touching the Quran: Allah says "Which none shall touch but those who are pure."<sup>3</sup>
3. Tawaf: Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "Tawaf around the house (Ka'ba) is like prayer."<sup>4</sup>

Wudu is recommended for the following:

1. After bloodletting<sup>5</sup> or the drawing of blood: Tamim Al-Dari narrated that the Prophet ﷺ said: "Wudu is (needed) after any bleeding."<sup>6</sup>
2. After cupping<sup>7</sup>: See the above hadith.
3. After a nosebleed: (See the above hadith). Sulaiman رضي الله عنه narrated: "The Prophet ﷺ saw me when my nose was bleeding and he said: 'Perform wudu.'" Al-Mahamili said: "That is, perform wudu for what happened."<sup>8</sup> Also, to avoid contradicting the schools of thought that deem it obligatory to perform wudu after bloodletting, cupping, nosebleeds and vomiting.

<sup>1</sup> Al-Ma'idah, 6.

<sup>2</sup> Muslim, Vol. 1, The Book of Purification, Chapter 2.

<sup>3</sup> Al-Waqi'ah, 79.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 122/960.

<sup>5</sup> Drawing blood with a needle from a vein.

<sup>6</sup> Al-Darqutni, Vol. 1, page 157.

<sup>7</sup> Sucking blood through the skin with a (vacuumed) bottle after scratching the place.

<sup>8</sup> Al-Darqutni, Vol. 1, page 156.

4. After vomiting: Abu Al-Darda' رضي الله عنه narrated: "The Prophet ﷺ vomited so he broke his fast and made wudu."<sup>1</sup> The evidence that wudu is not affected by anything coming out of anywhere other than the private parts (like bloodletting, cupping, vomiting and nosebleeds) be it in small or large amounts, is what Jaber رضي الله عنه narrated: "That two men from the companions of the Prophet ﷺ guarded the Muslims one night during *the battle of That Al-Riqq*' and that one of them was praying when a man from the pagans came and shot him with an arrow. The companion removed it. Then the pagan shot him with a second arrow and a third. The companion kept on praying while his blood was flowing<sup>2</sup>." It is concluded that if bleeding nullified wudu then the companion would not have continued praying. The Prophet knew of this and did not object to it. Shafi'i scholars interpreted the hadith which refer to the necessity of wudu after bleeding as a matter of preference, i.e. not obligatory.
5. In preparation for sleep: Al-Bara' ibn 'Aazeb رضي الله عنه narrated that the Prophet ﷺ said: "When you intend to go to sleep, perform wudu properly as you would for the prayer, lie on your right side and say: 'O Allah, I surrender to You and entrust all my affairs to You and depend upon You for Your blessings both with hope and fear of You. There is no fleeing from You, and there is no place of protection and safety except with You. O Allah, I believe in Your book (the Quran) which You revealed and in Your Prophet (Muhammad) whom You have sent.' [4] Then if you die on that night, you will die in a state of *fitra* (the religion of Islam) so let these be the last words you utter (before sleep)."<sup>3</sup>
6. After waking up from a sleep in which you have been sitting with your seat firmly against a flat surface<sup>4</sup>. Al-Shafi'i and his colleagues said: "It is recommended for a person who slept while sitting firmly to perform wudu in case something has occurred (like passing wind)." This is also necessary to avoid the difference of opinion amongst scholars.
7. After laughter during prayer (to avoid the difference of opinion amongst scholars). The evidence that it is not obligatory is what Al-Bukhari narrated from Jaber: "If someone laughs in prayer, he should repeat his prayer but not his wudu."<sup>5</sup>
8. After eating anything which has been exposed to flame: Abu Hurayrah رضي الله عنه narrated: "I heard the Prophet ﷺ saying: 'Perform wudu after eating anything which has changed by exposure to flame.'"<sup>6</sup> The evidence that it is not obligatory is the hadith narrated by Jaber رضي الله عنه who said: "One of the last things the Prophet ﷺ did was to leave wudu after eating what had been changed by flame."<sup>7</sup>

<sup>1</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 79/198.

<sup>2</sup> Look at Abu Dawood, Vol. 1, The Book of Purification, Chapter 79/198.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 75/244.

<sup>4</sup> Fixing the buttocks on the ground, and this can only be achieved by sitting tailor-fashion.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 33.

<sup>6</sup> Muslim, Vol. 1, The Book of Menstruation, Chapter 23/90.

<sup>7</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 75/192.

9. After eating camel meat: Jaber ibn Samura narrated: "A man asked the Prophet ﷺ: 'Should I perform wudu after eating lamb?' The Prophet said: 'If you wish, perform wudu, and if you do not wish, don't.' The man said: 'Should I perform wudu after eating camel meat?' The Prophet ﷺ said: 'Yes, you should perform wudu after eating camel meat.'"<sup>1</sup>
10. After touching the opposite sex's hair, nails or teeth: Al-Nawawi said: "Al-Shafi'i said in Al-Umm and so did his colleagues: 'It is recommended to perform wudu after touching the hair, teeth or nails.'"<sup>2</sup>
11. When suspecting hadath.
12. After committing sins and wrongs like swearing, bad language, backbiting, or lying ... etc. The purpose in this case being to expiate the sins. It is narrated by Abu Hurayrah ؓ that the Prophet ﷺ said: "When a Muslim makes wudu and washes his face, every sin committed by his eyes is washed away with the water or with the last drops of water; and when he washes his hands, every sin committed with his hands is washed away with the water or with the last drops of water; and when he washes his feet, every sin committed by his feet is washed away with the water or with the last drops of water; so that he becomes clear of sin."<sup>3</sup> Also, it is narrated that Abdullah ibn Mas'oud ؓ said: "I would rather perform wudu for the bad word I say than for the good food I eat."<sup>4</sup>
13. After anger: Attiya Al-Sa'di ؓ said that the Prophet ﷺ said: "Anger is from Shaytan, and Shaytan is created from fire, and fire is extinguished with water. Therefore, if one of you is angry let him perform wudu."<sup>5</sup>
14. When reciting Quran from memory: Since reciting Quran is an act of worship. It should be noted that it is not makrooh to read Quran from memory while someone is in a state of hadath because it is narrated by Ali ؓ that: "The Prophet ﷺ used to read Quran in every state but janaba."<sup>6</sup>
15. When studying hadith: Because reading hadith is like conversing with Prophet Muhammad ﷺ.
16. When reading books related to hadith or Quran: This is to show respect for books on *Islamic sacred law*. Even books on Arabic and its grammar should be respected because they have been written to enable us to understand Quran and the hadith of Prophet Muhammad ﷺ. Hence, respecting these books is associated with respecting Quran and the sunna of the Prophet ﷺ.
17. When making *thikr* (invoking Allah's name) because it is narrated by Al-Muhajer ibn Qunfothe ؓ that: "He came to the Prophet ﷺ while he was urinating and he greeted him (from afar), but the Prophet did not answer until he

<sup>1</sup> Muslim, Vol. 1, The Book of Menstruation, Chapter 25/97.

<sup>2</sup> Al-Majmu', Vol. 2, page 28.

<sup>3</sup> Muslim, Vol. 1, The Book of Purification, Chapter 11/32.

<sup>4</sup> Al-Majmu', Vol. 2, page 66.

<sup>5</sup> Abu Dawood, Vol. 5, The Book of (good) Manners, Chapter 4/4784.

<sup>6</sup> Al-Nasa'i, Vol. 1, page 144.



had made wudu and then he apologized and said: 'I hated to mention the name of Allah ﷻ until I was in a state of purity.'"<sup>1</sup>

18. To stay in a mosque or pass through it: Since it is makrooh to go into a mosque without praying two rak'as.
19. To visit the dead: Since it is not obligatory to be pure of hadath when visiting graves.
20. After carrying the body of a dead person: Abu Hurayrah ﷺ narrated that: "The Prophet ﷺ said: 'Ghusl is (required) after washing the dead and wudu is required after carrying him.'"<sup>2</sup>
21. It is recommended to renew one's wudu before each obligatory prayer: In other words, to have wudu then perform another one when nothing has occurred to break it. This is the case if you have prayed an obligatory prayer with the first wudu, otherwise it is no longer recommended to renew one's wudu. It is narrated by Anas ﷺ that: "The Prophet ﷺ used to perform wudu for every prayer, whether he still had wudu or not."<sup>3</sup>
22. It is recommended for a person in the state of janaba who wants to eat, drink, sleep, or have subsequent intercourse to perform wudu: Aisha ﷺ said: "The Prophet ﷺ used to perform wudu as he would for prayer if he was in a state of janaba and wanted to eat or sleep."<sup>4</sup> Also, Abu Sa'id Al-Khadari ﷺ narrated that: "The Prophet ﷺ said: 'If one of you has intercourse with his wife and then wants to have intercourse again he should perform wudu in-between.'"<sup>5</sup> This does not apply to a menstruating or postnatal woman because her hadath is continuous and her purification is not valid until she is clear of blood, at which point, it is recommended that she makes wudu, just like a person in janaba, for eating, drinking, or sleeping until she makes ghusl<sup>6</sup>.

## Conditions for the validity of purification (wudu or ghusl)

### 1. Requirements to qualify to make an intention:

- a. Islam: Since a non-believer (*kafir*) is not addressed by Islamic law. If a Muslim is married to a non-Muslim, then he cannot have intercourse with her until she purifies herself from menstruation. In this case, she must make ghusl and her husband should make the intention on her behalf to permit him to have intercourse with her. Her own intention (if she makes one) does not count because she is a non-Muslim and therefore does not qualify to make an intention.

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 8/17.

<sup>2</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 17/993.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 44/58.

<sup>4</sup> Muslim, Vol. 1, The Book of Menstruation, Chapter 6/22.

<sup>5</sup> Muslim, Vol. 1, The Book of Menstruation, Chapter 6/27.

<sup>6</sup> At no point should ghusl be delayed out of negligence or to an extent that one might miss the prayer.

b. Reason: Since there is no accountability without intellect. Hence, neither a young child nor the insane are liable for obligations. The intention of a child *above the age of discrimination* is valid and his purification is correct, therefore if this child makes wudu and subsequently attains the age of puberty<sup>1</sup> then he is allowed to pray with this very wudu. The age of discrimination is attained when one is able to eat on his own and knows how to purify himself on his own even if he is still under seven years of age. If he cannot perform the above mentioned tasks then he has not reached the age of discrimination even if he is over seven years of age. The average age of discrimination is seven.

2. Purity of menstrual and postnatal periods.
3. There should be no substance on the body which prevents water from reaching the skin like wax, paint or the like. Substances like oil and the like which do not prevent water from reaching the skin but rather disperse it are excluded.
4. One should not believe that an obligatory action is sunna. On the other hand, there is no harm if one thinks that a sunna act is obligatory.
5. The knowledge and belief that wudu and ghusl are obligatory.
6. Removing any visible najasa.
7. There should be nothing on the body which could change the attributes of water like ink. Small ink spots which do not change the water's attributes do not harm.
8. One should not make a conditional intention as in saying: "I intend to perform wudu unless my brother comes."
9. The water should run down each part of the body that is being washed. Hard unmelted snow may be used in wudu to wipe (the head, shoe, or cast ...) but not to wash. However, if the snow is soft and melts upon contact with the body (due to its warmth) then wudu is valid.
10. For the prayer time to have started, plus continuation<sup>2</sup> or quick succession (*muwala*) for a person with *continuous hadath*<sup>3</sup>.
11. Water used should be purifying pure water.

<sup>1</sup> Puberty (sexual maturity) is when a boy has his first wet dream or a girl menstruates for the first time. Puberty is marked by age if the above mentioned does not occur. The age of puberty for boys is fifteen years while for a girl is the age at which her blood relations (sister, aunt, or cousin...) had their first menstrual periods.

<sup>2</sup> For the actions of *istinja'* and taking precautions (when needed like tampons or pads for the *mustahada*), and then wudu to be performed successively leaving no time gap in between.

<sup>3</sup> As for one who is unable to hold back intermittent drops of urine, one who passes wind continuously, or one who has (chronic) bleeding so that he is in a state of *hadath* through the whole period between two times (of prayer) and without having intervening purity which may enable him to perform wudu and prayer.

# Obligatory acts of wudu

## I. Making the intention (*niyah*)

### Definition of intention

**Legally:** Intention (*niyah*) is defined as the intention to do something accompanied by doing it.

### Legal status of intention

Intention is obligatory. Its place is in the heart as long as it aims at doing something, even if the tongue says differently. Therefore, if one expresses with his tongue the intention of cooling down and intends in his heart to lift *hadath* or vice versa then what matters is the intention of the heart. The purpose of intention is to distinguish and differentiate worship from habit.

### Evidence that the intention is obligatory

1. Allah says: "And they have been commanded no more than this: To worship God, offering him sincere devotion,"<sup>1</sup> and since wudu is a worship, it is necessary to be sincere to Allah in it. Sincerity is an act of the heart. Also, Allah says: "O you who believe when you go to pray wash your faces ...", which means that we are ordered to perform wudu for praying and that is an intention. Umar ibn Al-Khattab narrated that the Prophet ﷺ said: "Every deed is according to its intention and to each person what he intends..."<sup>2</sup> i.e. deeds cannot be considered acts of worship for which one is rewarded or acts for which one is punished except with intention. Wudu is an act of worship therefore intention is obligatory for it. If one does not make the intention for wudu one will not have achieved it.
2. Wudu is a worship that includes certain pillars, hence intention is obligatory for it, just like prayer.

### When to make the intention

Upon washing the first part of the face. If you forget to make the intention or if you make it after washing some of the face then your intention (and hence wudu) is void. Similarly, if you make the intention when saying "By the name of Allah ..." or when washing the hands and the intention leaves your heart (out of lack of concentration) before washing any part of the face, then your wudu is not valid. It is best to make your intention twice: The first time at the start of wudu in which one says "I intend to perform the *sunna* acts of wudu" [5], and the second when washing the face in which one says "I intend (to perform) the obligatory acts of wudu." [6]

### Its form

One may make any of the following intentions: 1) I intend to lift *hadath* [7], 2) I intend to make purification for prayer [8], 3) I intend to make purification from *hadath* [9], or

<sup>1</sup> Al-Bayenah, 5.

<sup>2</sup> Muslim, Vol. 3, The Book of Imarah, Chapter 45/155.

4) I intend to perform obligatory wudu [10]. It is not sufficient to intend absolute purification because purification may be from hadath or from najasa. Therefore, it is not correct to make a general intention<sup>1</sup>. If your intention is lifting hadath, cooling down, and cleanliness, or if you intend to lift hadath and remove najasa from one of your body parts then your wudu is valid in both cases because you have intended lifting hadath and linked it to something that does not contradict it<sup>2</sup>. On the contrary, if you make a valid intention then change it when washing some of the body parts, such as intending to cool off your foot without remembering the intention of wudu, then washing your foot is void. But, if you combine the intention of cooling off with that of making wudu then your wudu is valid. If you distribute the intention on each part, so that when washing the face you intend to remove hadath from the face, when washing the hands to remove hadath from them, and the same for head and feet then your wudu is valid. If you make a mistake when having the intention for wudu, for example you intend to remove the hadath of sleep while your true hadath is of another type, it is agreed upon to be valid as long as you do not do it on purpose. If you do, it is void.

As for one who has continuous hadath, the following are the details of his intention:

- a. To perform obligatory prayers: One's intention should be "I intend to perform obligatory wudu in order to be permitted to perform the obligatory prayer." [11] One should not perform more than one obligatory prayer with this wudu. It is valid to follow him (that means he can lead a group prayer) while he is praying sunna or non-obligatory (nafl) prayer. If he does not specify that he is performing wudu in order to pray an obligatory prayer then his intention will count towards praying sunna and nafl but not obligatory prayers.
- b. To perform nafl prayers: This intention should be "I intend to perform obligatory wudu in order to be permitted to perform prayer." [12]

## II. Washing the face

Washing the face is obligatory for Allah says: "...and wash your faces.." and the sunna and the consensus of Muslim scholars. The boundaries of the face start from the top of the forehead to the bottom of the chin (and the ends of any growing hair on the chin) lengthwise. And from one earlobe to the next in width. This includes the visible part of the lips, the eyebrows, the mustache, any hair on the forehead, the eyelashes, the sideburns and the area between them and the ears, and the hair growing under the lower lip even if it is thick. With regards to the beard and the hair growing between the beard and the sideburns, if this is thin enough so that one can see the skin beneath it then one must wash both the hair and skin. However, if this hair is very thick then one washes its outside only. Atta' ibn Yassar rahimahullah narrated: "Ibn Abbas rahimahullah performed wudu...then took a handful (of water) and did like this (gesturing joining both hands).

<sup>1</sup> Al-Nawawi said: This is common and recommended by Shafi'i scholars, but there is another strong opinion, which states that having a general intention is valid because making intention to purify the body parts of wudu following the certain order (which is mentioned in the verse (*ayah*) of wudu) does not include removing najasa.

<sup>2</sup> This is correct in ghusl as well.

and washed his face...then said: 'I saw Allah's Messenger ﷺ performing wudu this way.'<sup>1</sup> Al-Nawawi said: "One scoop is not enough for the water to reach what is beneath the hair if the beard is thick." It is known that the beard of Prophet Muhammad ﷺ was thick. Jaber ibn Samura ؓ narrated: "The Prophet ﷺ had a thick beard."<sup>2</sup> It is recommended to run water through the beard with the fingers from underneath. Anas ؓ narrated that: "The Prophet ﷺ, when he made wudu, used to take a handful of water and beginning below his chin, he would rub it through his beard and say: 'This is what my Lord, the Great and Exalted, has ordered me to do.'<sup>3</sup>

If a woman or a *hermaphrodite*<sup>4</sup> has a beard then it is obligatory to wash it, whether it is thick or thin.

In addition, it is obligatory, while washing the face, to wash part of the head and neck and under the chin in order to include all the face and make sure that it has been completely covered..

### III. Washing the arms including the elbows

This includes everything on the arms such as an extra finger, dense hair, or even peeled skin hanging from the arm. The evidence that it is obligatory to wash the elbows with the arm is Allah's saying "...and your hands (with the arms) to<sup>5</sup> the elbows," and the hadith narrated by Na'im ibn Abdullah Al-Mujmer who said: "I saw Abu Hurayrah making wudu, he washed his face thoroughly, washed his right arm till he reached the upper arm, washed his left arm till he reached the upper arm, wiped his head, washed his right foot till he reached the leg, and washed his left foot till he reached the leg, then he said: 'I saw Allah's Messenger performing wudu like this.'<sup>6</sup> The actions of the Prophet ﷺ are to demonstrate the commanded way of performing wudu and it was not reported that he ever left doing it this way.

### IV. Wiping part of the head

Allah says "...and wipe (with water) your head.. ." Wiping can be achieved by running the wet hand over the head. The head includes the usual roots of the hair which includes the front, rear, tempolar, and lateral sides of the head. Fulfilling the obligation in wiping the head may be by any of what is referred to as "wiping", hence any action which counts as wiping will satisfy the obligation because the Shafi'i scholars indicated that the "ba, ب" (in the verse) means "part of." This can be achieved even by a few hairs of the head or even a part of a hair or by washing the head or dropping a few drops of water on it or by placing the wet hand on the head. It is sufficient to wipe the hair or the skin because both are called head. It is also the same whether you wipe the hair form the roots or what is away from the roots, except when the wiped hair is

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 7/140.

<sup>2</sup> Muslim, Vol. 4, The Book of Virtue, Chapter 29/109.

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 56/145.

<sup>4</sup> A person with the sexual organs of both the male and the female.

<sup>5</sup> Some linguists said: "to" means "with" while others said: "to" is used to specify the boundary yet it is well known that the boundary is included.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 12/34.

outside the area of obligation, even if the hair is curly or tied. Wiping the head should be done with fresh water- not the same water used to wash the arms with.

## **V. Washing the feet up to and including the ankles and the cracks**

Muhammad ibn Ziad said: "I heard Abu Hurayrah رضي الله عنه saying as he passed by us, while people were making wudu from a utensil containing water: 'Perform your wudu thoroughly, I heard *Abu Al-Qassem*<sup>1</sup> رضي الله عنه saying: Woe to the ankles from Hell-fire."<sup>2</sup> The evidence that ankles are included in washing the feet is the above mentioned hadith narrated by Abu Hurayrah "... Then he washed his right foot till he reached his leg then he washed his left foot till he reached his leg."

The minimum in washing or wiping is once. It is sufficient if one performs washing or wiping once and thoroughly, for ibn Abbas رضي الله عنه narrated that: "The Prophet ﷺ performed wudu (at one time) by washing the body parts once each."<sup>3</sup>

## **VI. Order**

Wudu must be performed in a specific order which means starting with the face coupled with intention then the arms then the head then the feet. The evidence that "order" is obligatory is the hadith narrated by Jaber رضي الله عنه about the description of the Prophet's hajj: "...We start with what Allah started with."<sup>4</sup> Furthermore, the authentic hadith about the description of the Prophet's wudu indicate that he always stuck to the order mentioned in the verse of wudu. The other evidence is that Allah ordered a wiping between washings. In Arabic one does not separate alikes except for a reason and here the reason is the necessity of doing wudu in order. Furthermore, wudu is a worship that includes various obligatory actions like prayer, hence, it is necessary to follow order in it. Therefore, if you forget during the course of wudu to wash a particular part (a limb or the head), you must wash everything that follows it to satisfy the order. If you have doubt about that, you depend on certainty and wash what you are in doubt of and everything afterwards<sup>5</sup>. If you leave order deliberately or forgetfully then your wudu is void.

## **VII. Succession and accompanying the intention for a person with continuous hadath**

Succession means performing the actions of wudu one after the other leaving no time gap in between that would normally be considered a break. Accompanying the intention means that one keeps the intention throughout all the acts of one's wudu.

<sup>1</sup> A name of prophet Muhammad ﷺ.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 28/163.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 21/156.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 38/862.

<sup>5</sup> If you have doubt after you have finished wudu you need to do nothing, because doubt after carrying out the worship does not harm, except doubting the intention with which worship is not valid and re-performing is needed.

It is also obligatory for a person with continuous hadath to have succession between his wudu and prayer. If he separates between them for the benefit of prayer<sup>1</sup> even if it is a sunna action<sup>2</sup> then it is permissible, otherwise it is not allowed.

For a normal person, succession is sunna. So is the accompaniment of the intention. Malek narrated from Nafe' رضي الله عنه that: "Abdullah ibn Umar passed urine in the market place then he made wudu and washed his face and arms and wiped over his head, then he was invited to a funeral prayer as he entered the mosque so he wiped on his khuff and prayed."<sup>3</sup> Ibn Umar did that in the presence of the attendants of the funeral (*janaza*) and they did not object to that.

## Substitutes for wudu

1. If one plunges into water with the intention of making wudu or ghusl then it is valid even if one stays for as briefly as one second, for order is assumed to take place within moments.
2. Obligatory ghusl (ghusl from janaba, menstruation, postnatal blood, and delivery) substitutes for wudu even if it is not preceded by wudu provided that one does not touch (during ghusl) one's private parts, or pass something from the private parts. This can be achieved by lifting the major hadath from the private parts before intending to make ghusl. If one performs the sunna wudu before ghusl then one must lift the major hadath from the private parts before performing wudu. However, the sunna ghusl, like the *ghusl of Eid* and *ghusl of Friday*, does **not** substitute for wudu because a sunna does not substitute for an obligation whereas an obligation substitutes for a sunna.

## The sunna acts of wudu

1. Using siwak. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Were I not afraid that it would cause hardship to my Umma, I would have ordered them to use siwak before each wudu."<sup>4</sup>
2. Placing the water vessel to the right if it is big so that one can scoop with one's right hand, and placing it to the left if it is small in order to pour water with one's left hand over the right one. If someone is helping one pour the water then it is recommended for the helper to stand on the left because it is easier and more proper.
3. Facing the qibla (direction of prayer), for although wudu is a means, it is also an act of worship in itself. It is also sunna to choose a place in which the water would not splash back onto one.
4. Pronouncing the intention aloud and remaining aware of it throughout wudu.

<sup>1</sup> Like covering the awra.

<sup>2</sup> Like waiting for congregational prayer or perfuming oneself.

<sup>3</sup> Al-Muwata', Vol. 1, The Book of Purification, Chapter 8/43.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 27.

5. The *tasmiya* (saying: In the name of Allah [13]). Abu Hurayrah رضي الله عنه narrated that: "The Prophet ﷺ said: 'There is no prayer for him who does not perform wudu, and there is no wudu for him who does not mention Allah's name upon it (his wudu).'"<sup>1</sup> The time for *tasmiya* is when you intend to perform the sunna acts of wudu as you start to wash your hands. If you omit saying *tasmiya* at the beginning, even intentionally, you may say before you finish "In the name of Allah upon its beginning and end."<sup>2</sup> [14] This is so that wudu will not be devoid of the name of Allah. If you end your wudu without saying *tasmiya*, then you should not say it at that point because its proper place was missed.
6. Washing the hands at the beginning of wudu because they are the tool used in purification. Therefore, one should start by cleaning them first. Ibn Ous ibn Abu Ous narrated that his grandfather said: "I saw the Prophet ﷺ washing his hands three times."<sup>3</sup> This sunna is more confirmed when waking up from sleep. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If one of you wakes up from sleep then he should not dip his hand into the water vessel until he washes his hand three times because one does not know where his hand has been (during his sleep)."<sup>4</sup> Al-Shafi'i said: "I would like for each person who wakes up from sleep, be it daytime sleep or otherwise, not to dip his hand into the water until he washes it. If he dips his hand before washing it, this will not spoil the water unless there is some najasa on his hand, though I would hate for him to do so."<sup>5</sup> Therefore, if you have doubts as to whether or not your hands are najis, it is makrooh for you to dip them into a small amount of water, or any other liquid, without washing them whether you have woken up from sleep or not. If you are certain that your hands are free of najasa, then it is a sunna for you to wash them. However, if you are certain that they are najis then you must wash them before dipping them into the water.
7. The *madmadah* and *istinshaaq*, i.e. rinsing the mouth and the nose with water. Abdullah ibn Zaid رضي الله عنه said: "He was asked to perform wudu like that of Prophet Muhammad ﷺ, so he asked for a vessel and poured water from it on his hands and washed them three times, then he put his hand into the water and took it out and rinsed his mouth and nose out with a single handful and he did that three times."<sup>6</sup> This sunna act is done by rinsing the mouth first then the nose. Rinsing the mouth is done by taking the water into the mouth, whether by swishing it around the mouth and expelling it out or not (it is best to spit it out). Rinsing the nose out is done by taking the water into the nose, whether by sniffing it up into the nose and expelling it out or not (it is best to expel it from the nose). Abu Hurayrah رضي الله عنه narrated that: "The Prophet ﷺ said: 'Whoever performs wudu should inhale water into his nose,

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 48/101.

<sup>2</sup> just like when eating or drinking.

<sup>3</sup> Al-Nasa'i, Vol. 1, page 64.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 26/87.

<sup>5</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 19.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 7/18.



then expel it.”<sup>1</sup> It is better to rinse the mouth and the nose out in one handful of water, that is three times in three handfuls, for the above mentioned hadith of Abdullah ibn Zaid رضي الله عنه. It is sunna to exaggerate in these (let the water reach as much of the mouth and nostrils as possible) for Laqeet ibn Sabrah رضي الله عنه said: “I asked Prophet Muhammad ﷺ about wudu and he said: Perform wudu properly and thoroughly, rub between the fingers, and exaggerate in inhaling the water into the nose unless you are fasting.”<sup>2</sup> It is also sunna to scoop water with the right hand and to blow one’s nose with the left hand according to Ali’s رضي الله عنه hadith about the description of the Prophet’s ﷺ wudu: “... And he entered his right hand into the water vessel, filled his mouth and rinsed it, took water into his nose and blew it out with the left hand, and he did that three times.”<sup>3</sup>

8. To start washing the head from the top, the arms from the fingers, and the feet from the toes. If someone pours water for you, then you should start washing the arms from the elbows and the feet from the anklebones (so as not to splash water on the person helping you).
9. Being attentive (when washing the face) of the inner corners of the eyes and other facial folds and wrinkles. Abu Umamah رضي الله عنه narrated that: “The Prophet ﷺ used to rub the inner corners of his eyes.”<sup>4</sup> It is **not** sunna to wash the inside of the eyes because it has not been narrated that the Prophet ﷺ did so, and because it can be harmful.
10. Washing more than is obligatory of the face by adding part of the head and part of the neck. Also, it is sunna to add part of the upper arm over the elbow when washing the arm and part of the leg over the anklebone when washing the foot for Abu Hurayrah said: “I heard the Prophet ﷺ saying: ‘On the day of resurrection, my followers will be called *Al-Ghurr Al-Muhajjaleen* (with light upon their face, arms and feet) from the traces of wudu, therefore he who can increase the area of his radiance (by washing part of the head and neck) should do so.”<sup>5</sup> Abu Hazem said: “I was behind Abu Hurayrah while he was performing wudu for prayer and he extended his hand (under the water) until it reached his armpit. I said to him: ‘O, Abu Hurayrah, what is this wudu?’ He said: ‘O, Bani Forroukh, you are here! If I knew that you were here I would not have performed wudu like I did, I heard my beloved Prophet Muhammad ﷺ saying: The ornament of a believer will reach (on the day of judgement) as far as his wudu reaches.”<sup>6</sup>
11. Rubbing between the fingers by clasping them, starting from their tops, for the above mentioned hadith by Laqeet ibn Sabra رضي الله عنه: “...Rub between the fingers, and exaggerate in inhaling water into the nose unless you are fasting.”

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 24/159.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 55/142.

<sup>3</sup> Al-Bayhaqi, Vol. 1, page 48.

<sup>4</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 50/134.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 3/136.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 13/40.

12. Twisting one's ring. Abu Rafe' رضي الله عنه narrated that: "The Prophet ﷺ used to move his ring when he performed wudu."<sup>1</sup>
13. Beginning with the right for Aisha رضي الله عنها narrated that: "The Prophet ﷺ used to like starting with the right in putting on his khuff, combing his hair, purification, and in all his affairs."<sup>2</sup>
14. Rubbing the parts of the body (while washing them). Abdullah ibn Zaid ibn Asem رضي الله عنه narrated that: "The Prophet ﷺ made wudu and said: 'Rubbing is done in this way.'"<sup>3</sup> Also, this is recommended, to avoid the difference of opinions amongst the scholars<sup>4</sup>.
15. Wiping all over the head. This is achieved by putting the hands on the front of the head with the index fingers touching while placing the thumbs on the temples then sliding the fingers back to the nape of the neck, and then returning them to where one started. This movement of the fingers backwards and forwards is regarded as one wiping. All this applies if the hair can be turned over (because it is short for example). If sliding the fingers back (to the starting position) may mess it up, then one need not wipe back. In the hadith of Yahya Al-Mazeni: "A man said to Abdullah ibn Zaid: 'Could you show me how the Prophet ﷺ used to perform wudu?' Abdullah ibn Zaid said: 'Yes,' and he asked for water ...and then he wiped his head with his two hands moving them backwards and forwards, he started with the front of the head and moved back to the nape of his neck then he returned them to the place he started from ...."<sup>5</sup> If you do not want to take off your head cover you can wipe part of the head then complete the wiping, in the above mentioned manner, over the head cover three times. Al-Mugheerah ibn Shu'bah narrated that: "The Prophet ﷺ performed wudu and he wiped over his khuff and his turban."<sup>6</sup>
16. Wiping the ears (their inside and outside) after wiping the head, with fresh water. Amr ibn Shu'aib said: "Then he (the Prophet ﷺ) wiped his head and entered his forefingers into his ears and wiped the backs of his ears with his thumbs and the inside with his forefingers."<sup>7</sup> Wiping the ears should be done after wiping the head. Hence, if you wipe your ears before your head, it does not count because you did it out of order.
17. Washing between the toes from bottom to top with the little finger of the left hand. One starts with the little toe on the right foot and finishes with the little toe on the left. Al-Mustawred ibn Shaddad رضي الله عنه said: "I saw the Messenger of Allah performing wudu, he entered the water between his toes with his little finger."<sup>8</sup> Washing between the toes is sunna if the toes are separated but if they overlap so

<sup>1</sup> Ibn Maja, Vol. 1, The Book of Purification, Chapter 54/449.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 30/166.

<sup>3</sup> Musnad Al-Imam Ahmad, Vol. 4, page 39.

<sup>4</sup> Rubbing the body parts is obligatory according to Imam Malek رضي الله عنه.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 37/183.

<sup>6</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 75/100.

<sup>7</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 51/135. The complete text of the hadith will be given later.

<sup>8</sup> Ibn Maja, Vol. 1, The Book of Purification, Chapter 54/446.

that water does not go between them, it becomes obligatory. It is recommended when washing the feet to start with the toes and take a lot of care when rubbing the heels especially in winter because water may be repelled from them.

18. Doing each washing, and wiping, three times. Amr ibn Shu'aib narrated through his father through his grandfather that: "A man came to the Prophet ﷺ and asked him: 'O Messenger of Allah, what is the way to perform wudu?' So he ﷺ asked for a vessel of water and washed his hands three times, washed his face three times, washed his arms three times, wiped over his head, then he entered his two forefingers into his ears and wiped the back of his ears with his thumbs and the inside with his forefingers. Then, he washed his feet three times and said: 'This is the way of performing wudu and whoever exceeds this, or does less, he has done wrong.'"<sup>1</sup> Shaqeeq ibn Salamah ؓ narrated: "I saw Uthman ibn Affan (doing wudu), he washed his arms three times and wiped over his head three times, then he said: 'I saw the Prophet ﷺ do this.'"<sup>2</sup>
19. Continuity and succession<sup>3</sup> which means washing each part directly after the previous one leaving no time gap in between. It has been reported through some companions that: "The Prophet ﷺ saw a man praying, and on the surface of his foot a coin-sized dry area, so the Prophet ﷺ ordered him to repeat his wudu and prayer."<sup>4</sup> Also, this is necessary to avoid the opposing opinion of scholars who consider wudu void if a *long*<sup>5</sup> time gap is left between washing the parts of the body.
20. To say immediately after performing wudu and while facing the qibla: "I bear witness that there is no god but Allah, alone, without partner, and I bear witness that Muhammad is his servant and Messenger." [15] Uqba ibn Aamer ؓ narrated that Umar ؓ said that: "The Prophet ﷺ said: 'Whoever performs wudu perfectly and thoroughly then says: 'I bear witness that there is no god but Allah, alone, without partner, and I bear witness that Muhammad is his servant and Messenger,' all eight gates of Paradise will be opened for him so that he may enter through whichever he pleases.'"<sup>6</sup> Al-Tirmithi added: "O Allah, make me of the oft-repenting, of the oft-purifying of themselves."<sup>7</sup> [16] One can add: "O Allah, I declare Your exaltedness above every imperfection and Your praise. I testify there is no god but You. I ask for Your forgiveness and turn to You in repentance."<sup>8</sup> [17] It is acceptable to say other *du'a* (supplications) while washing the parts of one's body.

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 51/135.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 50/110.

<sup>3</sup> This is sunna for a normal person, but is obligatory for a person with continuous hadath.

<sup>4</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 67/175.

<sup>5</sup> The criterion for 'short' and 'long' time gaps is as follows: If the time between washing two successive parts is long enough for the parts of the body to dry under ordinary conditions of weather then this is regarded as a long gap, otherwise it is a short gap.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 6/17.

<sup>7</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Book 41/55.

<sup>8</sup> Al-Tabarani has narrated it from the narration of Abu Sa'id Al-Khadari ؓ, The Collection of Supplements, Vol. 1, page 239.

## Things it is recommended not to do in wudu

1. Asking someone to pour water for one's wudu, with no excuse, because it is a luxury which does not suit the state of worship. But it is permissible because it was revealed in the Sahih that Usamah and others (of the companions) poured water for the Prophet ﷺ to perform wudu<sup>1</sup>. It is permissible to ask someone for help in fetching water.
2. Shaking off the water after wudu because it is improper - like one is ridding oneself of worship.
3. Drying the body parts with a towel except when there is a necessity, as to avoid najasa or in cold or hot weather. Maymunah رضي الله عنها narrated in *the book of the description of ghusl from janaba*: "The Prophet ﷺ was brought a towel but he did not touch it."<sup>2</sup> Moreover, it (the water) is the trace of wudu so it is better to leave it.
4. Using less than one *mudd*<sup>3</sup> of water for wudu. Anas ibn Malék رضي الله عنه narrated that: "The Prophet ﷺ used to make ghusl with one *sa'*<sup>4</sup>, up to five mudds (of water), and perform wudu with one mudd."<sup>5</sup>
5. Talking because it distracts one from making du'a, unless it is necessary such as answering *salam* which is obligatory while to abandon talking in wudu is sunna, and the obligation is stronger than the sunna. Therefore, you should not say salam to one who is making wudu until he finishes, so as not to cause him to talk.
6. Slapping one's face with water.

## Things that are makrooh in wudu

1. Wasting and non-economizing in the use of water even if performing wudu from the sea. Allah says: "Do not waste for He (Allah) does not love those who waste."<sup>6</sup> Also, Abdullah ibn Amr ibn Al-A'as رضي الله عنه narrated that: "The Prophet ﷺ passed by Sa'id while making wudu and said: 'What wastefulness!' Sa'id said: 'Can there be wastefulness in wudu?' He replied: 'Yes, even if you are (making wudu) from a running river.'"<sup>7</sup>
2. Running water through the beard with one's fingers if one is in a state of ihram, because hair may fall out.
3. Washing or wiping more than three times, for he رضي الله عنه said in the above mentioned hadith of Amr ibn Shu'ayb: "And whoever does more than this, or less, he has done wrong."

<sup>1</sup> See Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 34/179-180.

<sup>2</sup> Muslim, Vol. 1, The Book of Menses, Chapter 9/38.

<sup>3</sup> Mudd (a volume measure) is a cubical vessel, the length of its side is 9.2 cm.

<sup>4</sup> Sa' (a volume measure) equals four mudds.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 46/198.

<sup>6</sup> Al-An'am, 141.

<sup>7</sup> Ibn Maja, Vol. 1, The Book of Purification, Chapter 48/425.

4. Asking others for help in washing unless for an excuse. It is known that he ﷺ would not allow anyone to help him with his wudu.
5. Not beginning with the right.
6. Exaggeration in rinsing the mouth and nose out with water if one is fasting, for the above mentioned hadith: "... And exaggerate in inhaling the water into the nose unless you are fasting."
7. Performing wudu in a najis place so as not to get contaminated or imagine so.

## Wiping over the khuff (shoes)

### Definition of wiping

**Literally:** To wipe something is to pass the hand over it.

**Legally:** To dampen specific shoes for a specific time. The specific shoes must satisfy a number of conditions which will be explained later.

### Legal status of wiping over the khuff

It is permissible in making wudu only. It is also a leeway in travel and residency. Although it is permissible, it is best to wash the foot, provided that one does not avoid it out of suspicion of its permissibility. The evidence that it is better to wash the foot is that the Prophet ﷺ used to do so most of the time, and also because washing the foot is the initial principal and hence is better.

### Evidence of the permissibility of wiping over the khuff

Al-Mugheera ibn Shu'bah رضي الله عنه said: "I was in the company of the Prophet on a journey and I dashed to take off his khuff. He said: 'Leave them, as I have put them on after performing wudu.' So, he wiped over them."<sup>1</sup> Ali ibn Abu Taleb رضي الله عنه said: "The Prophet ﷺ permitted (us to wipe over the khuff) three days and nights for a traveller and one day and night for a non-traveller."<sup>2</sup> Safwan ibn Assal رضي الله عنه said: "The Prophet ﷺ ordered us if travelling not to take off our khuffs (to wash our feet for wudu) from going to the bathroom or sleep, for three days and nights except from janaba (in which case we have to take them off and wash)."<sup>3</sup> Furthermore, necessity mandates wearing them, and it is hard to take them off hence it is permitted to wipe over them as with a cast or plaster. The above mentioned hadith by Safwan indicates that wiping is permissible in minor hadath but is not valid in janaba nor in other types of ghusl. The ghusl of janaba does not occur as often as wudu so there is no need to wipe over the khuff during it.

### Conditions for the permissibility of wiping over the khuff

1. To have full and complete purity from both types of hadath (major and minor) when putting them on. Abu Bakrah رضي الله عنه narrated that: "The Prophet ﷺ permitted a

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 48/203.

<sup>2</sup> Muslim, Vol. 1, The Book of Purification, Chapter 24/85.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Chapter 71/96.

traveller who purifies himself then puts on his khuff, to wipe over them for three days and nights, and one day and night for a non-traveller.”<sup>1</sup> If you put them on before washing your feet and then wash your feet (with them on), wiping is not permissible until you take them off and put them on again. Because ‘complete’ purity means having totally completed one’s ghusl or wudu. Therefore if you wash one foot and put on your khuff (before washing the second foot) then wash the other foot and put your other shoe on, you may not wipe unless you take off the first shoe and put it on again. Similarly, if you wash your feet and start to put your khuff on but you make hadath just before actually putting your foot in, then wiping is not permissible. If you do tayamum and put khuff on then you find water, you cannot wipe over the khuff anymore because tayamum is a type of purification permitted only for a necessity so when this necessity ends the purification becomes void and it will be as if you wore the khuff while you were in a state of hadath<sup>2</sup>. If your foot is bleeding inside the khuff then you need to wash it (in wudu), you cannot wipe over the khuff instead of washing the foot.

2. The khuff must be pure (free of najasa) because the shoe replaces the foot which does not become pure from hadath unless its najasa is removed, subsequently, you cannot wipe what substitutes for the foot unless it is free from material najasa.
3. The khuff must be durable enough to enable one to walk around with and attend to one’s needs, be they made out of leather, layers of cloth, wood, or other things (whether they are soled with leather or something else). Scholars mention the criterion for determining the duration of walking around for one’s affairs as the duration the traveller walks around in attending to his needs when settling or departing, such as looking for wood or grass. For a non-traveller, the khuff should endure walking around as in attending to his needs for one day and night. For a traveller, the khuff should endure walking around as in attending to his needs for three days. Travel here means *long travel* for which prayer can be shortened. Long travel is equal or greater than *two stages*<sup>3</sup>. The means of travel does not matter but it is the distance between the two places that matters. Anything less than that is considered *short travel*. The ruling of short travel is like that of residency.
4. The khuff should cover the place which must be washed in wudu (the whole foot up to and including the ankles) from the sides not from the top. If the foot can be seen through the opening, it is acceptable because it is not necessary for the opening of the khuff to be tight.
5. The khuff should prevent water from reaching the foot other than through the seam or zipper. There is no harm if water leaks through these places. There is no harm if the shoe is torn above the ankle, but if it is torn in the place of the obligatory

<sup>1</sup> Al-Darqutni, Vol. 1, page 194.

<sup>2</sup> If you become junub while travelling and make tayamum (for janaba) then you have minor hadath, in this case: If you find enough water to wash the parts of wudu, you have to take your khuff off and wash your feet.

<sup>3</sup> One stage is approximately equal to 41 kilometers.

washing then wiping is not permissible whether or not they may endure walking around in.

6. The khuff should be taken off after one day and night for a non-traveller and after three days and nights for a traveller, for the above mentioned hadith by Ali ؓ and because there is no need for more than that hence it is not permissible to exceed it. If the travel is undertaken for purposes of disobeying Allah, e.g. for banditry, then wiping is permissible for only one day and night because this period is permitted without travel<sup>1</sup>.

If the above mentioned conditions are satisfied, one can perform during the wiping period as many prayers as one wishes, be they obligatory prayers, the *making up* (*qada'*) of missed prayer, vow, or non-obligatory prayer.

### When does the duration of wiping start

The beginning of the period is calculated from the end of the first hadath<sup>2</sup> after putting on the khuff while in a state of purification, **not** from the time of putting them on. This is, like prayer, a timed worship hence its time begins when causes that permit performing it occur. If one puts the khuff on and does not make hadath after that, the time does not count however long it may be (until one makes hadath). However, if one makes hadath and does not wipe until the period is over, then he should take them off and put them on again in a state of new purification. Since, timing is calculated from when the first hadath, that occurs after putting the khuff on in a state of purification, is over. If one makes wudu, before the period ends, and wipes on his khuff, then the wiping period ends, though his wudu (which was performed while they were on) is still intact, one should take them off and merely wash the feet without repeating the whole wudu. Washing the feet only will not harm the order of wudu because the feet are the last part to be washed in wudu.

If one wipes as a resident then sets off for travel, he should complete wiping as a non-traveller, because it is when wiping starts that counts here **not** when hadath occurs. Hence, if one is a non-traveller and makes hadath but does not wipe on his khuff, then he takes a trip he should wipe as a traveller. However, if he wipes **before** having set off for a travel he should complete the period as a non-traveller as mentioned above. If a traveller wipes his khuff then settles and becomes non-traveller<sup>3</sup>, he should complete the wiping period of a non-traveller. If he has wiped for two days, then these are sufficient for a non-travelling wiping and he should take them off when settling. If, on the other hand, he has not completed twenty four hours then he can complete them.

<sup>1</sup> Also, in such travel one cannot make use of any of the dispensations of travel (like combining and shortening prayer, breaking fast, performing non-obligatory prayers while riding, omitting Friday prayer, and eating dead animals) except performing tayamum when one cannot find water.

<sup>2</sup> If the hadath is sleep then it will have a beginning and end.

<sup>3</sup> One is regarded as a resident if he settles in the town to which he traveled for four complete days with a previous intention of residing for that period. However, if he does not know how long he will stay in the town to which he traveled then he is regarded as a traveller for 18 days.

If one has doubts about whether he has wiped in residency or in a travel, he should proceed on the assumption that he has wiped in residency. This is because the origin is to wash the feet, and wiping is a leeway restrained by a condition. If one is not certain of the conditions of the leeway he should go back to the origin of the obligation-washing.

If one has doubts about whether he has made hadath at the time of Thuhr prayer, or whether it was at the time of Asr prayer, then he should proceed on the assumption that it was at the time of Thuhr because washing the foot is the initial principle, and wiping is only permissible for what one is sure of.

## What nullifies wiping over the khuff

1. Taking them off. If one takes off one of them or if it tears then wiping is void because the conditions of covering and impenetrability of water are not satisfied.
2. Termination of period.
3. The occurrence of what obligates ghusl such as janaba.

## The area of wiping

1. The obligatory: It is sufficient to wipe the top of the khuff.
2. The sunna: Wiping the top and bottom. It has been narrated that Al-Mugheerah ibn Shou'bah رضي الله عنه said: "I helped the Messenger of Allah ﷺ perform wudu in *the battle of Tabuk* and he wiped over the top and bottom of his khuff."<sup>1</sup> It is not permissible to wipe only the bottom of the khuff for Al-Nawawi said: "It has been confirmed that he ﷺ used to wipe only the top of the khuff, but not only the bottom." This is evidence that the former is obligatory while the latter is sunna.

## Area to be wiped

1. The obligatory: It is sufficient to wipe any part of their upper surface just like the obligatory wiping of the head in wudu.
2. The sunna: Wiping its top, bottom, and heel in strokes once. Put your left hand under the heel and the right hand over the top of the toes drawing the hands together and keeping the fingers apart: The right hand back towards the leg while the left along the bottom of the foot in the opposite direction towards the toes.

## Wiping over the socks

The majority of scholars say it is not permitted. Al-Shafi'i allows it providing :

1. The socks are so thick that they prevent water from reaching the foot if poured on them, and in that Al-Shafi'i says: "Verily a khuff is what is not transparent (thin)."
2. They should have soles.

Some scholars of the Shafi'i school said that they do not need to be thick as long as we can keep walking around in them.

<sup>1</sup> Al-Bayhaqi, Vol. 1, page 290.



# What nullifies wudu

1. Anything coming out of the private parts. This may be visible or wind, pure or najis, dry or wet, usual or unusual, in small or large amounts such as urine, feces, bleeding from hemorrhoids, mathi, or wadi. The evidence for this is as follows:

- Urine and feces: From the Quran, sunna, and the consensus. Allah says: "...Or one of you comes from relieving nature....and you find no water then make tayamum (take for yourselves clean earth)...."<sup>1</sup>
- Wind: Abu Hurayrah رضي الله عنه narrated: "The Prophet ﷺ said: 'The prayer of one who is in a state of hadath is not accepted until he performs wudu.' A man from Hadramout asked: 'Abu Hurayrah, what is hadath?' He replied: 'Passing wind,'"<sup>2</sup> and other generalized hadith which mention passing wind from both private parts of either sexes.
- Mathi: Ali رضي الله عنه narrated: "I was a man of profuse mathi and felt shy to ask the Messenger of Allah ﷺ, so I requested Al-Meqdad ibn Al-Aswad to ask him about it. He (the Prophet) answered: 'It requires wudu.'"<sup>3</sup>
- Wadi: Ibn Mas'oud رضي الله عنه said: "Wadi, which is discharged after urine, requires wudu."<sup>4</sup>

As for that which occurs seldomly, such as worms, or stones, wudu is required for it because it comes out of the private parts. Generally, wudu is needed for normal, daily occurrences so it is logical to perform wudu when rare matters occur.

If the normal way of moving one's bowels is obstructed and an artificial hole is opened, and this opening is below the stomach wudu is broken by that which comes out of it, but if it is above the stomach wudu is still valid.

As for things which enter the body through the private parts (suppository, piece of cotton, speculum, etc.) wudu is not broken until they come out. Therefore, if the finger enters with the suppository then comes out, wudu is broken not because the suppository entered but because the finger came out, even if the finger was covered.

2. Sleep in any position other than sitting flat on the ground and fixing the buttocks firmly against it. Ali رضي الله عنه narrated: "The Messenger of Allah said: 'The eye is the drawstring of the anus, so he who sleeps then let him make wudu.'"<sup>5</sup> Sleep is not a hadath in itself that breaks wudu. But when one sleeps one's muscles relax and it is possible for wind to be passed if one is not sitting flat and firmly against the ground. *Light sleep*<sup>6</sup>, which is much closer to drowsiness, and sleeping while being firmly seated do not break wudu. Anas ibn Malek رضي الله عنه said: "The Prophet's companions used to wait for Isha prayer till their heads nodded then they would pray without

<sup>1</sup> Al-Nisa', 43.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 2/135.

<sup>3</sup> Al-Bukhari, Vol. 1; The Book of Wudu, Chapter 33/176.

<sup>4</sup> Al-Bayhaqi, Vol. 1, page 115.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 80/203.

<sup>6</sup> The criterion of light sleep is that you can hear talk around you but cannot distinguish its words. If you drop something from your hand (e.g. your beads) then your sleep is not light because your muscles have relaxed.

performing (another) wudu.”<sup>1</sup> His saying: “... till their heads nodded ...” indicates that they were sleeping while sitting up tailor fashion.

3. Losing consciousness through insanity, intoxication, or fainting, for what it has been revealed in the two Sahihs (Bukhari and Muslim) about the Prophet’s illness ﷺ, as Aisha ؓ narrated that he fainted three times then he performed ghusl<sup>2</sup>. Sleep breaks wudu, so it is logical for such causes to break wudu as well.
4. Contact between a man and woman’s bare skin. This breaks wudu for both (the one who touches and the one touched). Allah says: “...or if you touched women...”<sup>3</sup> Malek narrated, in his book *Al-Muwatta’*, from Abdullah ibn Umar ؓ that he said: “Kissing your wife or touching her with your hand is *touching*,” so whoever kisses or touches his wife should perform wudu.”<sup>4</sup> A woman includes the wife or any other *non-mahram woman*<sup>5</sup> who has reached the age that usually evokes sexual interest. It does not matter if the man is normal, emasculated, impotent, or has no genitals as long as he has reached the age that usually evokes sexual interest even if it is before the age of puberty. Wudu is nullified just by touching be it done purposely or inattentively, with or without sexual desire, even if the other person is forced or dead (in this case, the wudu of the dead is not nullified). Touching a young child (who has not reached the age that usually evokes sexual interest), or the hair, tooth, or nail of a non-mahram<sup>6</sup> adult does not nullify wudu. Also, touching a mahram does not break wudu. If you are in a crowd and you do not know whether your hand touched a man or a woman, mahram or non-mahram, skin or hair then your wudu is still valid because the initial presumption is your previous wudu.
5. Touching the private parts with the palm or inner surface of the fingers. Bushrah bint Safwan ؓ narrated that the Prophet ﷺ said: “Whoever touches his private parts then let him not pray till he performs (another) wudu.”<sup>7</sup> Amr ibn Shu’ayb narrated from his father from his grandfather that the Prophet ﷺ said: “If any man touches his private parts then let him perform wudu, and if any woman touches her private parts then let her perform wudu.”<sup>8</sup> Al-Shawkani added: “What I know is that the private parts include the front and the back.”<sup>9</sup> Wudu is broken whether one, male or female (for the above mentioned hadith) touches the private parts of oneself or of another person, be it an adult or a child<sup>10</sup>, deceased or alive, purposely or accidentally. Touching the corresponding parts of an animal and touching with the

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 80/200.

<sup>2</sup> See Muslim, Vol. 1, The Book of Prayer, Chapter 21/90. Al-Qadi rendered ghusl, in this hadith, as wudu regarding that fainting breaks wudu.

<sup>3</sup> Al-Nisa’, 43.

<sup>4</sup> Al-Muwata’, Vol. 1, The Book of Purification, Chapter 16/64.

<sup>5</sup> Mahram: Those relatives whom you are not allowed (by Islamic law) to marry, e.g. sister/brother, daughter/sun, mother/father, etc.

<sup>6</sup> A non-mahram woman is opposite to a mahram, and is any woman that you are allowed (by Islamic law) to marry including your marriageable kin.

<sup>7</sup> Al-Tirmithi, Vol. 1, The Books of Purification, Book 61/82.

<sup>8</sup> Al-Bayhaqi, Vol. 1, page 132.

<sup>9</sup> Nayl Al-Awtar, Vol. 1, page 250.

<sup>10</sup> Even for a one day old baby.

outside surface of the hand, the finger tips and their outer edges, or by a part other than the hand does not break wudu, for wudu is broken only by touching with the palm of the hand and inner surface of the fingers<sup>1</sup>. Abu-Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Whoever touches his private parts without any cover or barrier then performing wudu for prayer becomes obligatory for him."<sup>2</sup> Al-Shafi'i added: "Touching with the hand, can be done only with the palm." The one touched does not lose his (her) wudu.

If you are not sure whether you have broken your wudu or not then you rely upon that which you are certain of, this is true in prayer or any other situation since **doubt does not harm certainty**. Sa'id and Abbad ibn Tameem from his uncle narrated that: "The Prophet ﷺ was asked about a man who imagines that he passed wind during prayer. He said: 'Let him not leave (his prayer) until he hears a sound or smells an odor.'"<sup>3</sup> One of the frequent rules of fiqh is that **things remain upon their original status unless one is certain of a change in that status, and we go by that which we are certain of over that which we have doubt about, and we dismiss the doubt**, (with few exceptions having to do with najis water). Therefore, if you are sure of having made wudu and think that you may have broken it, then you do not perform wudu because the original state is your purification. If you know for sure that you have done that which breaks wudu (hadath) and doubt whether you have made wudu thereafter or have not, then you need to perform wudu because the original state is the hadath.

If you think that you **may** have done that which breaks wudu (hadath) and you perform another wudu as a precaution, but then you remember that you had broken your wudu, then your wudu is void because you were hesitant when making your intention as you were not sure of your hadath. Hesitancy harms the validity (of the intention) if there is no necessity.

## What is forbidden in a state of minor hadath

1. To perform prayer and the like such as the prostrations of thanks, Quran recital, and forgetfulness. Abdullah ibn Umar رضي الله عنه narrated: "I heard the Messenger of Allah ﷺ saying 'No prayer is accepted without purification.'"<sup>4</sup> It is not valid to pray while you are in state of hadath and this is a great sin unless you are ignorant of the fact, forced, or have forgotten. One who commits that will not be regarded kafir (non-Muslim) unless he maintains it is permissible.

<sup>1</sup> The area in question here is what is hidden when one brings one's palms together.

<sup>2</sup> Al-Bayhaqi, Vol.1, Page 133.

<sup>3</sup> Muslim, Vol. 1, The Book of Menses, Chapter 26/98. The meaning of "smells an odor" is not just to smell it but is to feel and be sure that wind was passed.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 2.

2. To do tawaf around the Ka'ba. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said :  
 "Tawaf around the house (Ka'ba) is like prayer except that you talk during it, so whoever talks during it let him not speak but good."<sup>1</sup>
3. To carry the *Mushaf*<sup>2</sup> and touch its pages, binding, or margins even with a barrier such as touching it with a cloth or holding it from its bag, strap, or box. Similarly, any board or slate on which some Quran has been written, or Quran written for the purpose of study whether one carries it inside one's sleeve or on one's head<sup>3</sup>, for Allah says: "Which none shall touch but those who are pure."<sup>4</sup> It is **not** prohibited to carry a Mushaf in one's luggage if the intention is to carry the luggage not the Mushaf. Also, it is **not** prohibited to:
  - a. Carry the Quran if one fears that it may burn, fall into water, that a non-Muslim may touch it, or that it may come into contact with some najasa, moreover it is an obligation to do so.
  - b. Turn its pages using a stick provided that one does not touch the written words.
  - c. Carry books of tafsir (Quranic explanation) as long as the explanation text is more than Quranic verses and interspersed with it.
  - d. Carry a book of fiqh or hadith which contains some Quran verses or coins on which Quran is inscribed.

It is not forbidden for a child above the age of discrimination to touch or carry a Mushaf while in a state of hadath with the purpose of learning. It is permissible to hang a pendant, which contains some Quranic verses, on a menstruant woman or a person in a state of hadath or go to bathroom with it provided it is in a locket or leather box, sealed by sewing or wax, because there is no proof as to its prohibition. Carrying cassettes on which Quran has been recorded is not prohibited because they are **not** considered a Mushaf.

<sup>1</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 112/960.

<sup>2</sup> Mushaf is the written Quran as opposed to the recited. This includes anything on which Allah's words have been written (a column, board, etc.). The amulet which is used to protect a person from envy and all harmful things (such as a bead or the like) is excluded. No benefit can be achieved from such an amulet and it is forbidden (haram) to believe in its usefulness. A pendant on the otherhand may be considered as a Mushaf when verses of Quran are written on it, and in this case a woman cannot carry it during menstrual or postnatal periods. It is permissible for a pure person to carry such a pendant (on which some verses of Quran have been written) as long as he is asking the blessing of it and depending on Allah only.

<sup>3</sup> Scholars used to carry their books in their wide sleeves or on their heads.

<sup>4</sup> Al-Waqi'a, 79.

# GHUSL

## Definition

**Literally:** When water runs over something.

**Legally:** When water runs over the whole body with a specific intention.

## Causes that obligate ghusl

Reasons that necessitate ghusl are called major hadath, and they are six. Three are shared by both men and women and three are exclusive to women only.

### Causes for ghusl which are shared by both men and women

1. Sexual intercourse, even without ejaculation<sup>1</sup>, whether or not there is a barrier<sup>2</sup>. Abu Hurayrah narrated that the Prophet ﷺ said: "When he (a man) sits between her four limbs and starts<sup>3</sup> (to perform sexual intercourse with her), then ghusl becomes obligatory." In another version: "Even if he does not ejaculate," and in a version narrated by Aisha رضي الله عنها: "And the two private parts meet."<sup>4</sup>
2. After *mani*<sup>5</sup> is discharged regardless of the cause. Abu Sa'id Al-Khadari رضي الله عنه narrated that the Prophet ﷺ said: "Water (*mani*) necessitates water (performing ghusl)."<sup>6</sup> *Mani* is identified by the manner by which it is emitted. Allah says: "He is created from a drop emitted,"<sup>7</sup> which is the most common and consistent feature of *mani*, or by the sexual gratification that accompanies its emission and the listlessness which occurs after it. Also, it can be identified by its distinctive smell, which is similar to that of palm pollen or dough, and when it dries, it is similar to that of egg-white. *Mani* may lose some of these properties (it may become thin and yellowish) due to illness, it may come out without any lust or ecstasy, or it may become reddish because of too frequent intercourse.

Female sexual fluid can only be identified by the sexual gratification, the smell, or the listlessness which occurs after its discharge.

Ghusl is obligated when ejaculation or orgasm occurs. It does not matter whether *mani* is emitted as a result of sexual arousal or not, is accompanied by sexual gratification or not, is profuse or only a few drops, occurs while one is asleep

<sup>1</sup> Inserting a vaginal suppository, the doctor's finger, or the examination tool during a gynecologic examination does not obligate ghusl as long as it does not cause ejaculation.

<sup>2</sup> Such as a condom.

<sup>3</sup> When the tip of the man's penis touches the woman's vulva.

<sup>4</sup> Muslim, Vol. 1, The Book of menses, Chapter 22/87-88.

<sup>5</sup> The Arabic term *mani* refers to both semen and the female sexual fluid, i.e. that which comes from orgasm, and both sexes are intended by the phrase *mani* wherever it appears below.

<sup>6</sup> Muslim, Vol. 1, The Book of Menses, Chapter 21/81.

<sup>7</sup> Al-Taariq, 6.

or awake, or is emitted from a man or a woman, in all cases it requires ghusl. Umm Salamah رضي الله عنها narrated: "Umm Sulaym came to the Prophet ﷺ and said: 'O Messenger of Allah! Verily Allah is not shy of the truth, is it necessary for a woman to perform ghusl after she has a wet dream?' The Messenger of Allah ﷺ said: 'Yes, if she sees mani (discharge).'

<sup>1</sup> Umm Salamah said: 'O Messenger of Allah! Can a woman have wet dreams?' The Prophet ﷺ said: 'Bless you! How else does her child resemble her.'"<sup>2</sup> Ghusl is necessary after mani whether it comes from a sane or insane person, and whether it's emitted from its usual place or not as may be the case in some illnesses<sup>3</sup>.

If you wake up and find mani on your clothes, or in a bed in which nobody else sleeps, or in which someone under the age of puberty have slept, and you do not remember having a wet dream then you should make ghusl. However, if you see mani in a bed in which someone else who is above the age of puberty sleeps, then neither of you must make ghusl, because it is not known from whom it came, yet, neither one of you should pray behind the other until both of you make ghusl. It is recommended however, that both of you do make ghusl.

If someone makes ghusl after ejaculation and then has another ejaculation after a short while, he should make ghusl again.

If someone is not sure whether the discharge is mani or not, then he can choose whichever possibility he likes and work accordingly and he can revert from what he opted for to the other possibility. It is safer to take into account both possibilities.

3. Death: The separation of the soul from the body. Ghusl is obligatory for a dead Muslim only. Washing the dead is a *communal obligation*<sup>4</sup>: (*fard kifaya*) on all Muslims. Ibn Abbas رضي الله عنه narrated: "While a man was with the Prophet at Arafa, his camel threw him to the ground and he was trampled to death by it. The Prophet said: 'Wash him with water and sidr'<sup>5</sup>."
<sup>6</sup>

A martyr should not be washed, for Jaber ibn Abdullah narrated about the martyrs of Uhud that: "The Prophet ﷺ ordered them to be buried with their blood (on their clothes) and he did not perform funeral prayer on them or wash them."

<sup>7</sup>

Non-believers need not be washed but it is permissible to do so.

## Reasons for ghusl which are exclusive to women

1. Menstruation, for Allah says: "So keep away from women in their courses, and do not approach them until they are pure, then when they have purified themselves you

<sup>1</sup> It can be understood from the hadith that a wet dream does not obligate ghusl if it does not cause ejaculation.

<sup>2</sup> Muslim, Vol. 1, The Book of Menses, Chapter 7/32.

<sup>3</sup> As in recto-urethral fistula.

<sup>4</sup> Is what the Lawmaker requires from the collectivity of those morally responsible, not from each one of them, such that if someone undertakes it, then the obligation has been fulfilled and the sin and responsibility (of nonperformance) is lifted from the rest, while if no one undertakes it, then all are guilty of serious sin for neglecting the obligation.

<sup>5</sup> Type of tree.

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Ihsar and Penalty of Hunting, Chapter 32/1753.

<sup>7</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 74/1282.

may approach them.”<sup>1</sup> Also, Aisha رضي الله عنها narrated that: “Fatimah bint Abu Hubaish said to the Prophet ﷺ: ‘O Messenger of Allah, I do not become pure (from bleeding) ...’ The Prophet ﷺ said: ‘When the real menses begins give up your prayers and when it (the period) finishes wash the blood off and pray.’”<sup>2</sup>

2. Postnatal blood, which is the bleeding that occurs after giving birth. It has been mentioned in the book Nail Al-Autar that: “The Scholars have agreed upon the fact that postnatal blood is like menstruation with regards to what is permissible, forbidden, recommended, and makrooh.” Al-Shafi’i said: “The menstruant woman should make ghusl when she is pure (free from blood) and the postnatal woman should make ghusl when her bleeding stops.”
3. Giving birth, even to a blood clot<sup>3</sup> or a lump of flesh (an embryo<sup>4</sup>) and even if the birth is a cesarean. That is if she does not bleed after giving birth, otherwise the ghusl from postnatal blood is sufficient.

## Cases in which ghusl is sunna

Performing ghusl is sunna in the following cases:

1. For anyone going to attend the Friday prayer, be it a man or a woman, whether or not the Friday prayer is obligatory upon that person. Making ghusl on Friday is not sunna for those who are not going to attend the prayer. Ibn Umar رضي الله عنه said: I heard the Prophet ﷺ saying: ‘If one of you wishes to attend Friday prayer he should make ghusl.’”<sup>5</sup>
2. On *the day of Eid* for **everyone** because it is for beautification (unlike the ghusl of Friday which is intended to get rid of bad odors and hence is sunna only for those who attend the prayer). Ibn Abbas رضي الله عنه said: “The Prophet ﷺ used to perform ghusl on the day of *Eid Al-Fitr* and the day of *Eid Al-Adha*.”<sup>6</sup>
3. Before going to *the prayer for rain (istisqa’)*.
4. During a sun or moon eclipse.
5. After washing the dead. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: “Whoever washes the dead should perform ghusl.”<sup>7</sup> This ghusl is sunna whether the one who washes is in a pure or impure state, like a woman in menstruation.
6. When a non-Muslim embraces Islam. Qais ibn Assem رضي الله عنه said: “I came to the Prophet ﷺ intending to embrace Islam so he ordered me to perform ghusl (wash myself) with water and sidr.”<sup>8</sup> The author of Al-Muhathab said: “This is not obligatory, for many people embraced Islam and the Prophet ﷺ did not order

<sup>1</sup> Al-Baqarah, 222.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Menses, Chapter 8/300.

<sup>3</sup> The fertilized egg becomes a blood clot after 40 days from fertilization.

<sup>4</sup> The blood clot becomes an embryo after 40 days from being formed, i. e. after 80 days from fertilization.

<sup>5</sup> Muslim, Vol. 2, The Book of Friday, 1.

<sup>6</sup> Ibn Maja, Vol. 1, The Book of *Iqama* (of Prayers), Chapter 169/1315.

<sup>7</sup> Ibn Maja, Vol. 1, The Book of Funerals, Chapter 8/1463.

<sup>8</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 131/355.

them to make ghusl.”<sup>1</sup> This is only true if nothing that necessitates ghusl has occurred before embracing Islam. Otherwise, performing ghusl is obligatory. Clearly, performing ghusl while being a non-Muslim did not count (for purity).

7. When an insane person recovers his sanity and when an unconscious person regains consciousness, for the above mentioned hadith narrated by Aisha رضي الله عنها in which it is mentioned that: “He (the Prophet) fell unconscious then woke up and performed ghusl in order to pray, then he fell unconscious again then woke up and performed ghusl again.” Al-Shafi’i said in Al-Umm: “It has been said that never does a person go insane but that he ejaculates. If he is not certain, I would still recommend for him to perform ghusl as a precaution, but I would not make it obligatory upon him unless he is certain of it.”
8. Before attending a gathering or meeting.
9. When a woman with *istihada* (chronic bleeding) is cured and her bleeding stops.
10. During hajj, performing ghusl is sunna for the following:
  - a. When one wishes to start *ihram*. Zaid ibn Thabet رضي الله عنه narrated that: “The Prophet ﷺ took off his (normal) clothes (in order to wear ihram clothes) and performed ghusl when he saw the crescent (of the new month).”<sup>2</sup>
  - b. For entering Mecca. It has been narrated by Nafe’ that: “Ibn Umar رضي الله عنه never came to Mecca without staying overnight in *Thi-Tawa* until the next morning and then he would perform ghusl and enter Mecca in the daytime. He mentions that the Prophet ﷺ used to do that as well.”<sup>3</sup>
  - c. For standing in Arafah. It has been narrated by Al-Fakeh ibn Sa’ed رضي الله عنه that the Prophet ﷺ used to perform ghusl on the days of Friday, Arafah, *Fitr*, and *Nahr*.<sup>4</sup><sup>5</sup>
  - d. For spending the night in Muzdalifa.
  - e. For stoning the three *Jamras* (stoning-sites).
  - f. For performing *tawaf* (circumambulation).
  - g. For *sa’i* (going between Safa and Marwa).
  - h. For entering Medina.

Ghusl of Friday and ghusl after washing the dead are the most confirmed of all the above mentioned sunna ghusl.

## The obligatory acts of ghusl

Two things are obligatory in ghusl. The making of one’s intention and applying water to all of the hair and skin.

1. The intention: That is the intention of lifting a state of janaba, performing the obligatory act of ghusl, or lifting a state of major hadath. The latter form is the

<sup>1</sup> Al-Majmu’, Vol. 2, page 163.

<sup>2</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 16/830.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 38/227. Thi-Tawa is a well known place close to Mecca.

<sup>4</sup> The first day of Eid Al-Adha.

<sup>5</sup> Musnad Al-Imam Ahmad, Vol. 4, page 78.



best. The intention will not be valid by saying something similar like: I intend purification or ghusl, because it may be a sunna ghusl or a habit and would not cover the obligation. The place of the intention is in the heart like that of wudu. The timing of the intention is when water is first applied to the body. If one washes a part of his body before making one's intention, he should wash it again after making the intention. If one intends to wash only a part of his body he should repeat the intention with regards to the rest of the body, as when he intends to wash the private parts before commencing to wash the rest of the body.

2. Applying water to all of the hair and skin: Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "There is janaba underneath every single hair, so wash the hair and purify the skin."<sup>1</sup> There is no difference between the hair on one's head and other hair, or between thick and thin hair. Braided and matted hair must be detangled and let loose if water does not reach its roots without doing so. If one leaves even a single hair un-washed his ghusl is void. Umm Salamah رضي الله عنها said: "I said: 'O Messenger of Allah, I am a woman who tightly braids her hair, do I need to unbraid it for performing ghusl from janaba.' The Prophet ﷺ said: 'No, it is enough to pour water on your head three times then pour water all over yourself and you will be pure.'"<sup>2</sup> Al-Nawawi said in Al-Majmu': "They interpreted the hadith of Umm Salamah on the basis that water would reach her hair without unbraiding it because it was **not** thick." Water should reach every part of the skin. Therefore, one should pay attention to the wrinkles, the inside of the navel, the folds of the ears and the visible part of its canal, the armpits, the folds of the abdominal skin (due to obesity), between the buttocks, between the toes, the redness of the lips, and other parts which can be regarded as outer parts of the body. If one's skin is wounded (due to surgery) and the bleeding has ceased and one is able to get water into its visible groove without causing any harm, one should do so in ghusl as well as in wudu because this part of one's flesh will have the legal status of the outside.

A woman's ghusl from the state of janaba is like that of a man's. If she is a virgin she need not get water into the inside of her private parts, but if she is not she should get water into those parts which are normally exposed when she squats to relieve herself.

## The sunna acts of ghusl

1. Facing the qibla.
2. The tasmiya, i.e. saying "In the name of Allah, Most Merciful and Compassionate," [13] without intending to recite Quran but rather as thikr. If one forgets saying the tasmiya, he should say when he recalls it: "In the name of Allah, for the beginning

<sup>1</sup> Al-Tirmithi, Vol. 1, The Chapters of Purification, Chapter 78/106.

<sup>2</sup> Muslim, Vol. 1, The Book of Menses, Chapter 12/58.

and end.” [14] The evidence that tasmiya is sunna is that: Ghushl encompasses and substitutes for wudu in which tasmiya is sunna (as mentioned earlier), hence it is also a sunna act in ghushl.

3. Keeping one's intention in mind (throughout the performance of ghushl).
4. Washing one's hands. Aisha رضي الله عنها said: “The Messenger of Allah ﷺ would start, when performing ghushl from the state of janaba, by washing his hands, then he would pour water with his right hand over his left hand and wash his private parts. He would perform wudu as though for prayer, then take water and run his fingers through the roots of his hair. When he reckoned that he became pure, he would pour water three times onto his head, pour water all over his body, and then wash his feet.”<sup>1</sup>
5. Removing dirt (like mucus and mani) from one's body.
6. Performing a complete wudu before ghushl for the above mentioned hadith describing the ghushl of the Prophet ﷺ.
7. Paying attention to the skin folds and wrinkles.
8. Rubbing the hair roots three times with a wet hand as mentioned above in the hadith describing the Prophet's ﷺ ghushl.
9. Performing the actions of ghushl **in proper order**. Top to bottom, right then left.
10. Repeating every action three times because this is recommended in wudu, hence it is also recommended in ghushl. If one is performing ghushl by immersing one's self into a river, he should immerse himself three times.
11. Rubbing<sup>2</sup> the body parts for each time. Aisha رضي الله عنها narrated that Asma' asked the Prophet ﷺ about the ghushl from menstruation so he said “... Then let her pour water over her head and rub it firmly until she reaches the roots of her hair, then let her pour water over herself.”<sup>3</sup> The evidence that rubbing is sunna and **not an obligatory act** can be derived from the hadith narrated by Abu Tharr رضي الله عنه that the Messenger of Allah said: “The Muslim can use pure earth for purification even if he does not find water for ten years. If he finds water he should **touch it** to his skin for that is good.”<sup>4</sup>
12. The water used for performing ghushl should not be less than one sa', for Anas رضي الله عنه narrated that: “The Prophet ﷺ used to perform wudu with one mudd (of water) and ghushl with one sa' to five mudds.”<sup>5</sup> If one is able to perform his ghushl thoroughly with less than this amount, it is permitted. The evidence for this is the general agreement and the hadith narrated by Aisha رضي الله عنها: “That she used to perform ghushl with the Prophet ﷺ from one container which could hold about three

<sup>1</sup> Muslim, Vol. 1, The Book of Menses, Chapter 9/35.

<sup>2</sup> According to *Maliki* school: Rubbing is a condition for the validity of ghushl.

<sup>3</sup> Muslim, Vol. 1, The Book of Menses, Chapter 13/61.

<sup>4</sup> Al-Tirmithi, Vol. 1, The Chapters of Purification, Chapter 92/124.

<sup>5</sup> Muslim, Vol. 1, The Book of Menses, Chapter 10/51.

mudds..”<sup>1</sup> Al-Shafi’i ؒ said “A small amount of water may be sufficient if used sensibly whereas a large amount is insufficient when used wastefully.”<sup>2</sup>

13. When making ghusl after a menstrual or postnatal period, the woman<sup>3</sup>, who is not in *idda*<sup>4</sup>, is recommended to use some musk.<sup>5</sup> Aisha ؓ narrated: “That a woman from Al-Ansar asked the Prophet ﷺ about (her) ghusl after menstruation so he instructed her in how to perform ghusl and said: ‘Take a piece of cotton scented with musk and purify yourself with it.’ She asked: ‘How shall I purify myself with it?’ He said: ‘Purify yourself with it.’ She said: ‘How?’ He said: ‘Subhanallah! (Glory be to Allah) Purify yourself.’ So I pulled her over to me and said: ‘Follow the trace of blood with it.’”<sup>6</sup> If she can not find musk then she may use another deodorizing substance, or water alone is sufficient. The reason for using a deodorizing substance is that it helps eliminate odor. The reason that a woman in *idda* is excluded is that she should not wear perfume, wear make-up, or brightly coloured clothes.
14. Men should not perform ghusl before passing urine because urine will draw out with it any remaining semen.
15. Rubbing the left hand with a cleaning material (soap) after washing the private parts, for the above mentioned hadith narrated by Maimouna ؓ, (see section of *istinja*’).
16. Not to ask anyone for help and not to dry off- as in wudu.
17. One should perform ghusl covering one’s awra, even if one is alone. Bahz ibn Hakeem narrated through his father through his grandfather that: “I said: ‘O Messenger of Allah, what about our awra?’ He said: ‘Conceal your awra but from your spouse.’ I said: ‘What about if a man were all alone?’ He said: ‘Allah is more worthy to be shy from.’”<sup>7</sup>
18. After finishing ghusl one should say: “I bear witness that there is no god but Allah, alone, and I bear witness that Muhammad is his servant and Messenger.” [15]

On the basis of what we have said, we can present the description of ghusl in its complete form, taking into account the Prophet’s ﷺ description narrated in the authentic hadith, as follows:

## The complete form of performing ghusl

1. Removes any najis matter.

<sup>1</sup> Muslim, Vol. 1, The Book of Menses, Chapter 10/44. This hadith indicates that a man and his wife can perform ghusl from the same water vessel. Furthermore, it has been narrated that the Prophet ﷺ performed ghusl with the remaining ghusl-water of one of his wives.

<sup>2</sup> Al-Majmu’, Vol. 2, page 206..

<sup>3</sup> Whether she is married and has a husband or not, a virgin or not, she cleans only the parts which are normally exposed when she squats. It is recommended, if she is not a virgin, to insert a cotton soaked with musk inside her vagina unless she is fasting.

<sup>4</sup> Meaning the period in which a divorcee or a widow waits (before she remarry) to verify that she is not pregnant, or out mourning for her deceased husband.

<sup>5</sup> By applying musk to a piece of cotton or something similar and applying it after washing the private parts, into the vagina as far as is obligatory for her to wash, in order to remove any trace of odor.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Menses, Chapter 13/308.

<sup>7</sup> Al-Tirmithi, Vol. 5, The Book of Manners, Chapter 22/2769.

2. Removes any other pure (taher) substances, like soap, paint, and mani, on the body.
3. Takes water into one's hands and washes them with the intention of performing the sunna acts of ghusl.
4. Passes urine before making istinja' so that any remaining mani will come out. Then intends to lift the state of major hadath from the two private parts so that one will not need to touch them during ghusl.
5. Washes with soap the hand with which one made istinja'.
6. Performs complete wudu.
7. Takes water and makes the intention to lift the state of major hadath from the rest of one's body while pronouncing the tasmiya. One pours water, while rubbing his body beginning with the head, then the body's right side and then the left.

After making the intention of lifting the state of major hadath one should not put his hands back into the water vessel unless he makes the intention of scooping (ightiraf)<sup>1</sup>. Otherwise the water will become *used water*. As an alternative, one can lift the state of hadath from the hands first, away from the water vessel, and then makes the intention to lift the state of major hadath from the rest of the body. In this case one does not have to make the intention of scooping when putting his hands into the vessel to take water.

This obligatory ghusl counts for wudu as well, provided that nothing which nullifies wudu takes place during ghusl<sup>2</sup>. Aisha رضي الله عنها narrated that: "The Prophet ﷺ used not to make wudu after performing ghusl."<sup>3</sup>

## Makrooh acts in ghusl

1. Wasting water. Allah ﷻ says: "For God loves not the wasters."<sup>4</sup> Also, Abdullah ibn Mugaffal رضي الله عنه said: "I heard the Prophet ﷺ saying: 'There will be some people in this nation who will overdo their purification and du'a (supplication).'"<sup>5</sup>
2. Performing ghusl in still water; (be it a small or large body of water). Abu Hurayrah رضي الله عنه narrated that: "The Prophet ﷺ said: 'No one should perform ghusl in still water when in a state of janaba.' They said: 'What should he do?.' Abu Hurayrah said: 'One should take water out.'"<sup>6</sup>
3. Washing more than three times.
4. Omitting rinsing the mouth and nose out with water, since some scholars regard it as an obligatory act in ghusl.

<sup>1</sup> This is true if he scoops into his palms, but if he uses a bowl without his hand being in contact with water he need not to make the intention of scooping.

<sup>2</sup> If one does what nullifies wudu while performing ghusl, he may proceed and his ghusl will be correct and valid though he needs wudu before praying.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Chapters of Purification, Chapter 79/107.

<sup>4</sup> Al-An'am, 141.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 45/96. "overdo" means: To exceed the limits, such as one saying: If I go to heaven, My Lord, I ask you the white palace at the right side of Paradise.

<sup>6</sup> Muslim, Vol. 1, The Book of Purification, Chapter 29/97.

## What is prohibited when one is in a state of janaba

1. Everything prohibited for a person in a state of minor hadath is also prohibited for someone in a state of major hadath, i.e. praying, prostration of thanks and Quran recital, tawaf (be it obligatory or non-obligatory), touching or carrying the Quran or the carrying strap attached to it, or the bag if it is in. Allah says: "Non shall touch it but those who purify themselves."<sup>1</sup>
2. Staying in the mosque for a Muslim<sup>2</sup> in a state of janaba, even for a moment, except in dire necessity like taking refuge in the mosque and being afraid of going out for fear of one's life or money. Passing through the mosque without staying in it is not prohibited or makrooh but it is foregoing what is fitter if there is no need for it. Frequenting the mosque, like staying in it, is permitted when there is a necessity or excuse. Allah says: "Nor in a state of ritual impurity (janaba), except when travelling on the road, until after performing a purificatory bath (ghusl)."<sup>3</sup> Al-Shafi'i said: "Some of the scholars of Quran say: 'It means do not approach the places of prayer because there is no bypassing in prayer.'"<sup>4</sup>
3. Reciting the Quran<sup>5</sup>, be it a lot or a little (even part of a verse) with the intention of recitation. Ali ؓ said: "The Prophet ﷺ used to read the Quran in every state except in the state of janaba."<sup>6</sup> Reading the verses of thikr with the intention of thikr is permitted like saying, when in a catastrophe, "To Allah we belong, and to Him is our return" and when mounting an animal "Glory to Him Who has subjected these to our (use), for we could never equal Him with thanks". It is not prohibited to read Quran in one's speech and sermons with the intention of thikr. Also, it is not prohibited if one says something of the Quran with the intention of conveying a different meaning like saying to someone who is asking permission to come in "Enter it in peace and security" unless he does that in ridicule, in which case it is forbidden.

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<sup>1</sup> Al-Waqi'a, 79.

<sup>2</sup> While it is not forbidden for a non-Muslim, because he does not believe in the mosque's sanctity and consequently the prohibition of this action. It has been authenticated that the Prophet ﷺ took some polytheists into custody in the mosque. It must be noted through that a non-Muslim is not permitted to enter the mosque, even if not in a state of janaba, without the permission of an adult Muslim and only for a necessity.

<sup>3</sup> Al-Nisa', 43.

<sup>4</sup> Al-Majmu', Vol. 2, page 174.

<sup>5</sup> This means pronouncing it so one can hear himself if he is paying attention and has an average sense of hearing.

<sup>6</sup> Al-Nasa'i, Vol. 1, page 144.

# TAYAMUM

## Definition

**Literally:** Aiming at something, such as Allah's saying: "And do not even *aim at* getting anything which is bad, in order that out of it you may give away something."<sup>1</sup>

**Legally:** Using pure earth on the face and arms instead of (performing) wudu, ghusl, or washing a certain part of the body within specific conditions.

## The evidence for tayamum

The evidence for tayamum can be found in the Quran, the sunna and consensus. The evidence that tayamum is permissible in case of minor hadath is Allah's saying: "If you are ill or on a journey or one of you comes from relieving one's self, or you have been in contact with women and you find no water, then take for yourselves pure earth."<sup>2</sup>

With regard to major hadath, Umran ibn Husain رضي الله عنه said: "Once we were travelling with the Prophet ﷺ ... and he led the people in prayer. After he finished from prayer, he saw a man sitting aside who had not prayed with the people. He asked: 'O so-and-so! What has detained you from praying with us?' He said: 'I am in a state of janaba and there is no water.' The Prophet ﷺ said: 'Perform tayamum with (pure) earth for that is sufficient for you.'"<sup>3</sup>

## Cases in which tayamum is permitted

### 1. Lack of water

1. If one is **certain** that there is no water, he can perform tayamum without searching for water.
2. If one **suspects** the existence of water he should look for it in his house and at his friends' within the *range of help*<sup>4</sup>. If he does not find water he can perform tayamum and pray.
3. If one is **certain** that water exists he should search for it within the *range of proximity*<sup>5</sup>. If water is beyond this range he can make tayamum and pray. When sure that one can obtain water by waiting until the end of the prayer's time, then it is better to delay the prayer. Searching should be performed by looking to the right,

<sup>1</sup> Al-Baqara, 267.

<sup>2</sup> Al-Nisa', 43.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Tayamum, Chapter 5/337.

<sup>4</sup> At which one's friends could be expected to respond to his cry for help despite being busy in talking or working. This range was estimated with 120-160 meters, or walking for 20 minutes.

<sup>5</sup> Which equals 6000 footsteps, or walking for 45 minutes.

left, front and back. If there is a barrier like a mountain one should climb it and look around. If there is a friend with him he should ask him for water.

Therefore, one who lacks water should search for it before performing tayamum unless one is certain that it does not exist, for Allah says "And you find no water, then take pure earth for yourselves". You cannot say "find no water" until you search for it.

### **Conditions for searching for water within the *help and proximity* ranges**

1. One must guarantee the safety of a *worthy soul*<sup>1</sup>. Every human being is a worthy soul except a person who is condemned to death by *Shari'a*<sup>2</sup> or a non-Muslim at war with the Muslims. A non-Muslim who is under the protection of Muslims is also a worthy soul. Watch dogs, sheep and other useful animals, are worthy souls, too.
2. One must not risk the loss of money.
3. One must not risk the loss of contact with the group he is travelling with.
4. One must not risk the expiration of the prayer's time.
5. One must not search for water until the particular prayer's time has come because he is searching in order to confirm the condition that necessitates tayamum (i.e. lack of water) hence it is not valid at a time when tayamum is not permissible.

One who lacks water must ask for a donation of water by saying "Give me water for wudu" but is not allowed to ask for money to buy water to preserve his dignity. Also, one must ask to borrow the container rather than asking for its price. Water must be purchased with its equivalent price as long as one does not need this money to pay back a comprehensive debt<sup>3</sup>, or to buy food for himself (or for a worthy animal) during his travel.

Water, when it exists, must exceed the drinking water needed for oneself and a worthy animal, even if this amount may be needed in the future.

### **Sequel**

1. If, after searching, one finds an amount of water that is not sufficient to wash all the parts of wudu, or ghusl, one should use it as far as it will go, and then perform tayamum in place of the rest. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "... If I order you to do something then do as much of it as you can."<sup>4</sup> Scholars of fiqh have agreed that what is possible is not to be left on account of what is impossible. Therefore, if one is purifying himself from minor hadath, he should first purify (wash) his face, then his arms, and so forth, according to the prescribed order in wudu. In major hadath, it is recommended to follow a set order by starting at the top of the body then the lower parts and so on.

<sup>1</sup> *Worthy* means whose killing is unlawful.

<sup>2</sup> For rejecting performing one of Islam's pillars, or committing a capital crime, such as a convicted married adulterer or a murderer.

<sup>3</sup> A debt that involves the whole of one's money. A debt which involves part of one's money does not prevent from buying water.

<sup>4</sup> Al-Bukhari, Vol. 6, The Book of Holding Fast to the Quran and Sunna, Chapter 2/6858.

2. If someone, who is in a state of minor or major hadath, has a najasa on his body and has an amount of water that is enough for one or the other, then he should remove the najasa first (with water) and then perform tayamum to lift the hadath because najasa, unlike hadath, can only be removed by water. Similarly, if one (who is in a state of hadath) has some perfume on his body while in ihram and has an amount of water that suffices the lifting of the hadath or perfume, then he should wash the perfume and perform tayamum for hadath. However, if he can collect the water of wudu and then use it for removing the perfume then he should do so. If someone (in ihram) has both a najasa and perfume on his body he should wash away the najasa first.
3. If someone in a state of hadath, someone in a state of janaba (major hadath), a menstruant, someone who has material najasa on his body, and a dead person are all in the same place and there is water that is enough for one of them only; then if this water belongs to one of them he is the most eligible person to use it and should not give it to anyone. If they are partners in the ownership of the water, then they should divide it equally amongst them, and no one should give up his share to another person, whether or not this share is sufficient for his purification. If the water is public property, then they are, according to *Imam Al-Haramain*, definitely partners in it and they should divide it equally between them.
4. If a dead person has some water and his companions fear that they may die of thirst, they can drink this water and perform tayamum for him, and pay the price of the water into the deceased heritage.

## II. Illness

A Muslim can perform tayamum if he fears that using water may lead to the loss of his life<sup>1</sup>, loss of the use of an organ<sup>2</sup>, delayed recovery, an increase in illness<sup>3</sup>, or the occurrence of a major deformity in a visible part of the body (such as the face and hands). Allah says: "And he has imposed no difficulties on you in religion."<sup>4</sup> Also, Jaber رضي الله عنه said: "We set off in travel and one of us was hit by a stone that injured his head then he had a wet dream so he asked his friends: 'Can you find me an excuse to perform tayamum ?' They said: 'We do not find an excuse for you as long as you can use water.' So he performed ghusl and died. When we came to the Prophet ﷺ, we told him the story and he said: 'They killed him, may Allah kill them. Should they not have asked if they did not know ! Verily asking is the cure of ignorance. It would have been sufficient for him to perform tayamum, tie a cloth on his wound and wipe on it and wash the rest of his body.'"<sup>5</sup>

<sup>1</sup> Like having a severe injury which would deteriorate, if one performs wudu, and cause death.

<sup>2</sup> For example, if using water may cause paralysis in a body part.

<sup>3</sup> Which is the increase of pain, even for a short time.

<sup>4</sup> Al-Hajj, 78.

<sup>5</sup> Abu Dwood, Vol. 1, The Book of Purification, Chapter 127/336.



One should rely, when determining whether the illness qualifies one for the leeway of tayamum, on his own judgement if he is knowledgeable. Otherwise, he can rely on the judgement of a skillful adult, fair, Muslim doctor (male or female).

### III. Cold weather

It is permitted for one to perform tayamum if he cannot find anything to warm up water with and he fears that using cold water might disable one of the parts of his body or cause him harm and that warming his body afterwards would not undo the harm. Amr ibn Al-Aas said: "I had a wet dream on a cold night during *the battle of Al-Salasil* and I was afraid that I would die if I performed ghusl so I performed tayamum and led my friends in Fajr (dawn) prayer. They mentioned this to the Prophet ﷺ and he said: 'O Amru, did you lead your friends in prayer while you were in a state of janaba !?' So I told him about what prevented me from performing ghusl and said: 'I heard Allah saying 'And do not kill yourselves for Allah is merciful towards you.' The Prophet ﷺ laughed and said nothing."<sup>1</sup>

## Cases in which one must repeat the prayers done with tayamum

Prayer performed with tayamum must be repeated in the following cases:

1. When one performs tayamum because of the cold and then finds something to warm the water with.
2. When one performs tayamum for lack of water in residence and then finds it. Abu Tharr رضي الله عنه narrated that the Messenger of Allah ﷺ said "The Muslim can use pure earth for purification even if he does not find water for ten years. If he finds water he should touch his skin with it for this is good."<sup>2</sup> Also, lacking water in residence "is a *rare*<sup>3</sup> *non-continuous*<sup>4</sup> excuse which does not cancel the obligation.
3. When a *disobedient-in-travel*<sup>5</sup>, such as a highwayman or a woman who travels without the permission of her husband, performs tayamum on his journey, because the disobedient-in-travel cannot use any of the leeways of travel except

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 126/334.

<sup>2</sup> Al-Tirmithi, Vol. 1, The Chapters of Purification, Chapter 92/124.

<sup>3</sup> Unlike illness and travel.

<sup>4</sup> Unlike *istihada*. Excuses are two types: *General* and *rare*. In a general excuse, one does not have to re-perform prayer because of the hardship that entails. Hence, a sick person can perform prayer while seated, or by making gestures, or with tayamum if he fears using water. This also applies to a traveller. The rare excuse is two types: *Usually permanent excuse* such as *istihada* in which re-performing prayer is not necessary because of difficulty and necessity. The other type is the *usually non-permanent excuse*. This in turn is two types: The first is performed with a substitute for what is lacking, such as one who performs tayamum in residence because of lack of water or severe cold (in travel or residence) and other cases as explained before. In all these cases, prayer should be repeated. The second type is performed without a substitute such as someone lacking the two purifiers (water and earth). Such a person, must perform prayer according to his situation then he should repeat it for the rarity of such an excuse.

<sup>5</sup> Someone who travels in disobedience of Allah.

performing tayamum if he cannot find water. Such a person should repeat all the prayers he performed with tayamum as soon as he finds water.

4. When one performs tayamum in his travel because of lack of water in a place where water is usually available at that time of the year, but it was not, as an exception.

In all the above mentioned cases, if the cause of tayamum ceases and there is still time to repeat an obligatory prayer which has been performed with tayamum, one should make the intention to perform this prayer as a current prayer. If the prayer time is over, he should make it up as a missed prayer.

## Performing tayamum for a specific part of the body

If the injury that necessitates tayamum prevents the use of water over all the parts that need to be washed for purification, one should perform one tayamum for all. If the injury prevents using water on certain parts, one should wash whatever is possible and perform tayamum for the rest. This is explained in detail as follows:

### Performing tayamum for an injured part on which there is no bandage

One should wash all around the cut and perform tayamum for the wound itself<sup>1</sup>. If it is for major hadath, one can perform tayamum before ghusl or afterwards because the whole body is considered one part in ghusl and there is no prescribed sequence. If it is for minor hadath then one should do it in its proper sequence and not move on from one part to the other until he has washed and/or performed tayamum for it. It does not matter whether one washes the part first and then performs tayamum or vice versa. If the injury is in two different parts then two tayamums are necessary and if it is in three parts then three tayamums are necessary. However, both arms are regarded as one body part as are both legs. Hence, if there is an injury in both of them then only one tayamum is necessary. However, it is recommended to regard them as two parts and perform tayamum for each one of them after washing the sound area of each. If the injury is not in one of the body parts of tayamum (face and arms), it is not necessary to wipe it with water or earth even if it does not cause any harm. However, if the injury is in one of the parts of tayamum then the injury must be wiped with earth if there is no harm in that. In the case it might be harmful, like someone with chicken pox on his face, then one can follow the rules of *lacking the two purifiers* with respect to his face<sup>2</sup> and he must wipe his arms following the rule that says *difficulty breeds facilitation*. He should re-perform these prayers when able to use water or earth. In all cases of

<sup>1</sup> However, if one has chicken pox, or a severe acne problem then he should wash between them if there is no harm in doing so, otherwise, he should not.

<sup>2</sup> Similarly, if one has an eczema, or the like, on his face or arms or both then he can apply the rule of *lacking the two purifiers* to those parts (face or arms) which may be harmed by earth and he is excused of the obligation.

tayamum for an injured part on which there is no bandage, it is not obligatory to repeat prayers because this is a common affliction except in the above excluded case. If there is profuse blood in the wound that cannot be excused, and it is feared that washing it will cause harm, then one should repeat the prayer because he prayed while having najasa on his body.


## **Wiping over a cast**

### **Definition of cast**

A cast may be pieces of wood, or reeds, which are arranged and tied to the injured part to allow the broken bones to heal. Bandages, plasters, ointments<sup>1</sup> and the like follow the same rules as casts.

A cast must not be put on any sound part except that which is necessary to hold the cast in place. The cast should be worn in a state of complete purity. Otherwise, if there is no harm in removing the cast, one should remove it and put it on again after purifying and make it as large as the injury plus only what is needed to hold it in place.

### **How to perform purification when wearing a cast**

The cast must be removed if possible. Otherwise<sup>2</sup>, one should do three things: a) wash the sound (healthy) area all around the edges of the cast as well as he can, b) perform tayamum for what is under the cast, c) wipe all over the cast with water, for the hadith by Jaber  about the man who injured his head " ... It would have been sufficient for him to perform tayamum, tie a cloth on his wound and wipe over it then wash the rest of his body".

### **When to repeat prayer performed with a cast on**

1. When the cast is on one of the parts of wudu or ghusl but not on the parts of tayamum:
  - a. If the cast is the same size as the injury, one need not repeat prayer whether or not it has been placed on purity from the two types of hadath.
  - b. There is no need to repeat prayer if the cast is larger than the injury only by the amount needed to hold it in place and the cast has been placed on complete purity from both types of hadath.
  - c. One must repeat prayer if he does not put on the cast on purity and the cast is larger than the injury, even if only by the amount needed to hold it in place.
  - d. One should repeat prayer if one puts on a cast on purity and the cast is larger than the amount needed to hold it in place.
  - e. If it is possible to remove the cast and one does not remove it, he is obligated to repeat the prayer.
2. If the cast is on one of the parts of tayamum:



<sup>1</sup> Ointments here means those which, when dry up, form a water proof insulating layer.

<sup>2</sup> If one fears that using water would lead to an illness that makes tayamum permissible.

Prayer must be repeated, whether or not the cast has been placed on purity, and whether or not it covers an area of the sound part.



## The conditions of tayamum

The same conditions of the validity of purity in wudu and ghusl apply in addition to the following :

1. The excuse which facilitates tayamum must exist as explained earlier.
2. Tayamum must be performed with pure earth. Huthaifa ibn Al-Yaman  narrated that the Prophet  said: "We have been favored over other people by three things: Our rows have been made like those of the angels, the whole earth has been made as a mosque for us, and we can use its earth in our purification if we find no water."<sup>1</sup> Also, Allah says: "Then take for yourselves pure earth."<sup>2</sup> The scholars of the Shafi'i school of thought have interpreted "pure earth" as the plant-growing soil based on Allah's saying: "From the land that is pure and good, by the will of its cherisher, springs up produce, (rich) after its kind."<sup>3</sup> The "earth" is that which has dust therefore it is **not** valid, according to the Shafi'i school of thought, to perform tayamum using anything other than soil, such as:
  - Wet soil because it sticks to the body and does not have dust.
  - Hardened soil unless it is crushed so that it has dust.
  - Used soil (soil that remains on the body or scatters from it) because using it would deprive it of its purifying ability and hence would become non-purifying pure soil.
  - Soil mixed with najasa, be it a small or large amount.

It is valid to perform tayamum with:

- Stolen soil though stealing is forbidden (haram).
- Soil of a graveyard that has not been disturbed, because the soil of graveyards where the soil has been disturbed is najis. If one has doubts as to whether the soil is exhumed, then tayamum is valid because the initial presumption of all things is their purity.

It is valid for a group of people to perform tayamum from the same place, in a similar way that it is allowed for them to perform wudu from the same vessel or container. One can perform tayamum several times from a small amount of soil that he takes with him in a cloth, or the like, just like he can perform wudu from the same container several times. One can also perform tayamum from soil on a cushion, clothing, rug, wall, instrument, or even the back of a pure animal. Abu Juhaim Al-Ansari  said: "The Prophet  came back from the direction of Be'r Jamal and a man met him and greeted him. The Prophet did not answer him until he came to a wall and wiped his face and hands then answered the man's

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places/4.

<sup>2</sup> Al-Nisa', 43.

<sup>3</sup> Al-A'raf, 58.

greetings.”<sup>1</sup> Also, tayamum is using pure earth and there is no difference whether it is on the ground or on something else.

3. The soil should not contain flour or gypsum which can prevent the soil from reaching the skin. Hence, using fine soil that has been mixed with sand is permissible.
4. One should remove any najasa from one's body.
5. Tayamum must occur after the prayer's time has started, be it in certainty or uncertainty, and whether tayamum is for a complete purification or for the purification of a single part of the body. Amr ibn Shu'aib rahimahullah narrated through his father through his grandfather that: "The Prophet ﷺ said: '... The earth has been made for me as a mosque and a source of purification. Wherever prayer is due I wipe myself (with earth) and pray.'"<sup>2</sup> 'Due' meaning **after** the start of time. If one performs tayamum before the start of time, or has doubts whether the time has started or not, tayamum will not be valid even if time has already started because tayamum is a purification of necessity and there is no necessity before the start of time. It is permissible, for the Friday *khatib* (speaker), to perform tayamum for Friday prayer before the *khutba* (sermon) because its time starts when the sun is at its zenith and doing the *khutba* first is a condition of the validity of Friday prayer. The prayer time includes the *excuse time* when *joining* and *advancing*<sup>3</sup>, or *postponing*<sup>4</sup>, prayers. Hence, if you join Asr with Thuhr at the time of the first, you could perform tayamum for Asr prayer just after performing Thuhr prayer. Similarly, you can perform tayamum for Isha prayer after Maghrib prayer.

The time of funeral (janaza) prayer begins when the deceased has been purified by ghusl or tayamum. However, it is makrooh to perform tayamum for funeral prayer before enshrouding the deceased with *kafan* (shroud). The time of *asking-for-rain* prayer begins when intending to perform it, or gathering to perform it in congregation. The time of *eclipse prayer* begins when the moon or sun disappears. The time of *absolute nafl* prayer begins when intending to perform it at any time except *prohibited times*. The time of *greeting-the-mosque* prayer begins when entering the mosque. The time of the *prostration of thanks* begins when intending to perform it. Finally, the time of the *prostration of Quran recital* begins with the end of reading, or hearing, a verse that mentions a prostration (*sajda*).





6. One should perform tayamum for each obligatory prayer. With this tayamum, one can pray nafl (non-obligatory) prayer as well. The evidence that tayamum should be performed for each obligatory prayer is that the onset of time has been set as a condition of tayamum. The best evidence in this case is that Allah says:

<sup>1</sup> Al-Bukhari, Vol. 1. The Book of Tayamum, Chapter 2/330.

<sup>2</sup> Musnad Al-Imam Ahmad.

<sup>3</sup> To join two prayers at the time of the first, e.g. praying Thuhr and Asr in Thuhr time.

<sup>4</sup> To join two prayers at the time of the second, e.g. praying Thuhr and Asr in Asr time.

"When you go to pray, wash your faces...but if you are ill, or on a journey, or one of you comes from relieving one's self, or you have been in contact with women, and you find no water, then take for yourselves pure earth."<sup>1</sup> This verse obligates us to perform wudu or tayamum for each prayer because one does not go for prayer before the onset of time. However, the need to perform wudu for each prayer has been excluded by sunna and the consensus of scholars. Buraida  narrated that: "The Prophet  performed all prayers on *the day of conquering Mecca* with one wudu and wiped over his khuff. Umar  told him: 'Today you did something you did not do before.' The Prophet  said: 'I did that on purpose, Umar.'"<sup>2</sup> The need to perform tayamum for each (obligatory) prayer remains proven by the above mentioned verse.

## The obligatory acts of tayamum

1. Conveying earth up to the part (face and arms) to be wiped, simultaneously with the intention (the intention to convey earth with the intention to perform tayamum). Hence, it is not valid to face the wind and be content with what the wind blows onto one's face or arms. However, it is valid to move up earth from your face with the intention of conveying it and then wipe your face with it coupled with the intention of tayamum. Similarly, it is valid to convey earth up from one of your hands.
2. The intention. It is not sufficient to intend to lift minor or major hadath, or to intend the purification from the state of one of them, because tayamum does **not** lift hadath. It is not sufficient to intend (to perform) the obligation of tayamum, the obligation of purification, or obligatory tayamum because tayamum, unlike wudu, is not an aim in itself, but is performed out of necessity. Therefore, it is not recommended to re-new tayamum, unlike wudu. The form of the intention of tayamum can be one of the following:
  - a. "I intend to perform tayamum to permit the obligatory prayer (or tawaf, or Friday khutba ...)." [18] With this intention you can make one obligatory prayer as well as the non-obligatory (nafl) prayers before and after it, during the particular prayer's time or after it, because nafl prayers are dependent on obligatory prayers. Hence, if your purification for that which is primary is valid then it is also valid for that which is secondary<sup>3</sup>. With this intention as well, you can legitimize performing funeral (janaza) prayer, the prostration of thanks or Quran recital, touching the Mushaf, and having intercourse after menstruation.



<sup>1</sup> Al-Ma'idah, 6.

<sup>2</sup> Muslim, Vol. 1, The Book of Purification, Chapter 25/86.

<sup>3</sup> Hence, if you forget one prayer out of the five prayers of one day and night and you cannot remember which one it was, then you should make up for five prayers with one tayamum, because the missed prayer is only one and the others are not obligatory. If you perform an obligatory prayer on your own with tayamum and then find a congregation and want to re-perform the prayer with that tayamum, you should regard the first as the obligatory prayer (and the second as sunna).

- b. "I intend to perform tayamum to permit performing nafl prayer (or nafl tawaf)." [19] With this intention you are permitted more than one nafl, intercourse after menstruation, but no obligatory prayer. If you intend permission to perform prayer without specifying whether it is obligatory or nafl, then this will cover nafl prayer only.
- c. "I intend to perform tayamum to permit the prostration of thanks (or Quran recital, touching the Mushaf, or intercourse after menstruation)." [20] With this intention you are not permitted any prayer, be it obligatory or nafl.
- d. "I intend to perform tayamum in place of the obligation of ghusl to permit the obligation of prayer." [21] With this intention you are permitted prayer, reading the Quran, staying in the mosque and other things which are permitted in ghusl. If you make minor hadath afterwards you can make one of the above mentioned three forms of intention as necessary.

It must be noted that one's intention must be coupled with conveying earth and continue until one wipes part of the face. Hence, if you make minor hadath after conveying earth and before starting to wipe your face, you should not use this earth but start all over.

3. Wiping the face and arms including the elbows for Allah says: "And you find no water, then take for yourselves pure earth and wipe therewith your faces and arms."<sup>1</sup> The evidence that the part of the arms that should be wiped includes the elbows was mentioned by Al-Shafi'i in a statement which means that Allah orders purification of the four limbs at the beginning of the above mentioned verse then he counts out two of them at the end of the verse. Hence, the limits of the two limbs (arms) of tayamum remain as they are in wudu because if they were different Allah would have indicated that. Muslims have agreed that the face and arms are included in tayamum just like wudu. It is not compulsory to get earth to the roots of the hair. It is not even recommended to do so because, in contrast to water, this is quite difficult. However, one should pay attention to facial wrinkles and folds, such as the inner and outer corners of the eyes, and underneath the protruding part of the nose because all of these are parts of the face. Many people do not follow this. One should not forget to take care of the visible part of the lips when closed.
4. Striking the ground twice<sup>2</sup>, one for the face and the other for the arms. Ibn Umar  narrated that the Prophet  said: "Tayamum is two strikes one for the face and the other for the arms to the elbows."<sup>3</sup>
5. To do the two wipes in order. Hence one should wipe his face before wiping his arms (whether tayamum is from minor or major hadath), just like wudu, because in tayamum they are two parts. The evidence for order is what Allah says "And rub therewith your faces and arms." The 'and' according to Al-Shafi'i is to indicate a

<sup>1</sup> Al-Ma'idah, 6.

<sup>2</sup> Al-Nawawi said: "This is common in the Shafi'i school, and it has been revealed that Al-Rafi'i has authenticated it as a recommended rather than obligatory act." Al-Majmu', Vol. 2, page 254.

<sup>3</sup> Al-Darqutni, Vol. 1, page 180.

prescribed order as we mentioned in wudu. If one abandons the prescribed order then tayamum is not valid with regards to the arms, however it is still valid with regards to the face, hence one must redo the arms only.

It is not necessary to follow order when taking earth for the face and hands. Hence, it is valid to strike the earth with your hands once and then wipe your face with your right hand and wipe your right hand with your left hand. However, it is necessary to strike the earth again to wipe your left hand.

## The sunna acts of tayamum

1. To pronounce the tasmiya because tayamum is purification from the state of hadath therefore it is recommended to mention the name of Allah in it just like wudu.
2. To spread the fingers when striking the earth to raise more dust in order to include the whole face with one strike easily and effectively.
3. To reduce the earth, if it is too much, by blowing on the hands so that only the necessary amount remains. Abdul Rahman ibn Abza narrated that the Prophet ﷺ struck the ground with his hands and blew at them then wiped his face and hands with them.”<sup>1</sup>
4. To remove one’s ring when striking the earth the first time. For the second striking, it **must** be removed because it is necessary to get earth (dust) to the entire hand. Tayamum will not be correct if a small part of the hand remains untouched by earth.
5. To start by wiping from the top of the face like wudu.
6. To wipe the right arm before the left one, for the above mentioned hadith about starting with the right arm.
7. To exceed the wiped area of the arms, by wiping part of the upper arm, to avoid the difference of opinion of scholars who say that it is obligatory. Ammar ibn Yaser ؓ narrated that: “They wiped themselves, when they were with the Prophet ﷺ, with pure earth to pray Fajr. So they struck the earth with their hands and wiped their faces once, then they struck the earth with their hands a second time and wiped all of their arms to the shoulders and armpits of their arms.”<sup>2</sup>
8. Not to strike the earth more than two times.
9. Continuity for those not afflicted with continuous hadath for whom continuity is obligatory.

## The ideal manner of tayamum

Strike the earth with your hands, keeping your fingers apart, then wipe your face with them starting from the top (down to the loose part of your beard and underneath the protruding part of the nose). Then strike the earth a second time, keeping your fingers apart, and place the inside of the fingers of your left hand (apart from the thumb) crosswise under the backs of your right hand’s fingers so that your right hand’s fingers

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Tayamum, Chapter 3/331.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 123/318.



do not stick out past the index finger of your left hand. Then slide your left hand over the back of your right hand until it reaches the right wrist here you should curl the fingers around the side of your right wrist and keep going up until you reach the elbow. Then turn your arm so that the inside of your arm is facing downwards with the inside of your left hand underneath it, and slide your left hand over the right arm, with its thumb pointing away. When you reach the wrist wipe the back of your right thumb with the inside of your left thumb. Then wipe your left arm in the same manner, followed by rubbing the palms together, interlocking their fingers, and paying attention to your knuckles. It is obligatory to remove your ring while wiping your hands.

## Things that nullify tayamum

1. Anything which nullifies wudu will nullify tayamum from the state of minor hadath. If you have performed tayamum for major hadath then make minor hadath, your tayamum for wudu is void but your tayamum for ghusl is still valid.
2. Finding a sufficient amount of water and being able to use it, be it for minor or major hadath. In this case you should perform wudu and ghusl, according to the above mentioned hadith by Abu Tharr رضي الله عنه that the Prophet ﷺ said: "A Muslim can use pure earth for purification even if he does not find water for ten years. If he finds water he should touch his skin with it for that is good":
  - a. If you see water **before** performing prayer your tayamum is void and you should make wudu even if there is not sufficient time to perform prayer in its particular time.
  - b. If you see water **during** prayer, your tayamum is **not** void unless you are one of those who should re-perform prayer, for Allah ﷻ says: "And make not in vain your deeds."<sup>1</sup>
  - c. If you see water **after** performing prayer your prayer is valid whether or not you should re-perform prayer as explained earlier.
  - d. Finally, tayamum is nullified by *ridda* (apostasy), may Allah save us of it.

## The case of one who lacks the two purifiers (water and earth)

If you can neither find (pure) water nor earth, such as if you are in a marsh land and there is nothing to dry the mud with, or imprisoned in a najis place, or tied up, then you should pray *as you are*. This is because being unable to achieve purity, which is a condition for the validity of prayer (in addition to covering the awra, removing material najasa and facing the qibla), does not permit you to abandon prayer. However, you should pray the obligatory prayer **only** without any non-obligatory (nafl) prayer<sup>2</sup>. Furthermore, you should not hold, or touch, a Mushaf, stay in the mosque, or do other

<sup>1</sup> Muhammad, 33.

<sup>2</sup> Whether it is the sunna prayer before or after the obligatory prayer, the sunna prayer at a stated time, or otherwise.

things which are not permissible when one is in a state of janaba, because all of these things are not obligatory. If you are in a state of janaba and lack the two purifiers you should only recite what is obligatory in prayer<sup>1</sup>. Similarly, if you have taken an oath to recite a sura from the Quran at a particular time, then you can recite it at that time even if you are in a state of janaba.

In summary, if you lack the two purifiers, you should restrict yourself to obligatory worship only. The rules of one *lacking the two purifiers* in janaba are extended to a woman in her menstrual or postnatal period when she becomes clean and cannot find one of the two purifiers (to purify herself).

Any prayer performed during the time of lacking the two purifiers should be repeated. When to repeat is explained as follows :

1. Prayer should be repeated when you find water.
2. If you find earth, then there are three cases:
  - a. If you find earth **before** the end of time, you should repeat prayer with tayamum even if you have to repeat it with wudu later (because it is one of the cases in which one has to repeat prayer performed with tayamum (see above). This is necessary in order to perform prayer within its time using one of the purifiers.
  - b. If you find earth **after** the end of time, in a place in which prayer performed with tayamum need not be repeated, you should repeat prayer and you need not repeat it when you find water.
  - c. If you find earth **after** the end of time, in a place in which prayer performed with tayamum must be repeated with wudu (because it is a place where there is usually plenty of water), you should **not** repeat prayer because it must be repeated anyway.

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<sup>1</sup> i.e. reciting the Fatiha, or what substitutes for it, not a sura.

# NAJASA (FILTH)

## Definition

**Literally:** Najasa is what generally is considered filthy and repulsive, even if it is pure, such as mucus, sperm, and saliva.

**Legally:** Najasa is any repulsive matter that prevents one from performing prayers.

## Types of najasa

### Major najasa

This includes dogs and swine and any offspring of one of them (by crossing it with a pure animal). All animals are pure except dogs and swine. Even a hunting dog is najis. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "The purification of one's vessel if a dog drinks from it, is to wash it seven times, the first time with earth."<sup>1</sup> Also Allah says: "Unless it be dead meat, or blood poured forth, or the flesh of swine, for they are filth (najasa)."<sup>2</sup> The semen of dogs, swine, or the offspring of one or both of them, is a major najasa, although, the semen of humans and other animals is pure. Ibn Abbas رضي الله عنه said: "The Prophet was asked about semen getting on a garment, and the Prophet ﷺ said: 'It is like mucus and saliva. It is sufficient to wipe it with a cloth or a sweet smelling plant.'"<sup>3</sup> Also Alqamah and Al-Aswad narrated that: "A man stayed with Aisha and began to wash his garment when he woke up. Aisha said: 'It would be sufficient, if you see it (semen), to wash its area, and if you do not see it to sprinkle water on it, for verily I used to rub it from the Prophet's garment and he would pray in it'"<sup>4</sup>

### Minor najasa

The urine of a male baby, less than two years old, who has fed on nothing but human milk.

### Medium najasa

All other types of najasa, as listed below :

1. Any liquid intoxicant, such as:

- a. Wine even if it has been squeezed from grapes with the intention of making vinegar<sup>5</sup>. The proof that wine is najis is what Allah says: "Wine, gambling,

<sup>1</sup> Muslim, Vol. 1, The Book of Purification, Chapter 27/91.

<sup>2</sup> Al-An'am, 145.

<sup>3</sup> Al-Darqutni, Vol. 1, page 124.

<sup>4</sup> Muslim, Vol. 1, The Book of Purification, Chapter 32/105.

<sup>5</sup> Grape juice is only najis during its fermentation period, and it becomes pure when it turns into vinegar.

(dedication of) stones, and (divination by) arrows are filth of Shaytan's handiwork. Eschew such (abomination)."<sup>1</sup> Also, Ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "Every intoxicant is (regarded as) wine, and every wine is forbidden."<sup>2</sup>

- b. Ale or beer, which is obtained by soaking sugary substances like dates and barley until they ferment turning into an alcoholic beverage. This is najis because it causes intoxication like wine<sup>3</sup>.
- c. Alcohol, which is najis because it is intoxicating. However if alcohol is added to perfume to dilute it without corrupting it, then it is excusable najasa.

Non-liquid intoxicants and mind altering drugs are not najis even if dissolved because their origin is solid, though they are **forbidden** because they cause loss of reason.

2. Unslaughtered dead animals. The evidence that dead animals are najasa is what Allah says: "Forbidden to you (for food) is meat from dead animals."<sup>4</sup> Three types of dead are excluded (of being najis) :

- a. Humans. Allah says: "We have honored the descendants of Adam,"<sup>5</sup> and the honored cannot be but pure. However, Allah's saying "Truly the pagans are a filth"<sup>6</sup> means the filthiness of belief not bodies. Therefore, their deceased are pure.
- b. Fish and locusts. Abdullah ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "Permissible to you (for food) are two dead animals and two bloods. The two dead animals are fish and locusts. The two bloods are the liver and the spleen."<sup>7</sup> Aquatic life that may be eaten by Muslims has the same legal status as fish and is pure even when dead. Frogs may not be eaten by Muslims and are najasa when dead.
- c. Hunted animals if they are killed by a hunting dog or arrow within the conditions of hunting<sup>8</sup>. Both the skin and flesh of such animals are pure (taher).

The fetus of a slaughtered animal, that may be eaten, is pure (taher) because the slaughtering of its mother counts for it, too.

That which is severed from a living animal is like the 'dead' of that animal. Hence, a limb for example that is severed from a sheep while it is alive is najasa. Abu Waqed Al-Laithi رضي الله عنه said: "The Prophet ﷺ said: 'Whatever is cut off from the

<sup>1</sup> Al-Ma'ida, 90.

<sup>2</sup> Muslim, Vol. 3, The Book of Drinks, Chapter 7/74.

<sup>3</sup> However, if it does not become intoxicant, (like water in which a few dates, rasins, apricots, or honey are placed so it becomes sweet), then it is not najis.

<sup>4</sup> Al-Ma'ida, 3.

<sup>5</sup> Al-Isra', 70.

<sup>6</sup> Al-Taubah, 28.

<sup>7</sup> Ibn Maja, Vol.2, The Book of Food, Chapter 31/3314.

<sup>8</sup> Hunting has certain conditions which can be found in the relevant treatises.

animal while it is alive is (considered as) an unslaughtered dead animal.”<sup>1</sup> What is separated from fish and locusts is pure.

3. The hair of unslaughtered dead animals, and the hair of animals *that may not be eaten* (such as the hair of a cat or mule), whether separated from them during their life or after their death<sup>2</sup>. In small amounts it is excusable. As for the hair attached to the animal during its life, its legal status is the same as that particular animal. All animals are pure during their life except dogs and swine, therefore, their fur and hair are also pure as long as they are connected to them. The meat, hair, plumage, wool, down, and fur of all animals that may be eaten are pure, provided they are separated from the animal while living or remained on it after slaughtering. However, if the animal dies then all of these are najis. The evidence that all which is related to animals that may be eaten is pure is Allah’s saying: “And out of their wool and their down and their hair, furniture and luxuries (to serve you) for a time.”<sup>3</sup>
4. The hide of all unslaughtered dead animals, except the hide of the above mentioned hunted animals. Also, the hide of animals that may not be eaten is najis even if slaughtered. The hide of animals that may be eaten, if slaughtered, is pure.
5. The meat of a dead animal that may not be eaten if slaughtered.
6. The milk of animals that may not be eaten. However, the milk of animals that may be eaten is pure, for Allah says: “Milk, pure and agreeable to those who drink it.”<sup>4</sup> The milk which remains in the breast of dead animals is najis because it is in contact with najasa (the dead meat), just like milk in a najis container.
7. The bone, tooth, horn, hoof, and clove of animals that may not be eaten. And unslaughtered dead animals that may be eaten. Ivory is najis, and should not be used when damp because it will cause what it touches to become najis. It is makrooh to use it with dry matter. Hence, if you have a comb made of ivory and use it to comb your wet hair or beard then your hair will become najis. If your hair is dry then it will not become najis but it is makrooh to use it. It is not valid to make wudu out of a small amount of water in a vessel inlaid with ivory if the water will come into contact with it.
8. Flowing blood, for Allah says: “Or blood poured forth ...for it is a filth (najasa),”<sup>5</sup> except small amounts of it which are excusable. Blood from pimples is considered to be a small amount, even if it is as much as the tip of the finger. Blood which is stuck to bones and meat is an excusable najasa unless it is mixed with another (different) matter. Therefore, such meat should not be washed, but it is sufficient to wipe the blood with a dry cloth. If it is washed, then the washing should continue until all trace of blood disappears from the rinse water.

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<sup>1</sup> Abu Dawood, Vol. 3, The Book of Hunting, Chapter 3/2858.

<sup>2</sup> Therefore, the fur of animals that may not be eaten cannot be prayed with or on, whether it has been cut from it while alive, after slaughtering, or after death. It will not become pure by tanning, since tanning only purifies the skin.

<sup>3</sup> Al-Nahl, 80.

<sup>4</sup> Al-Nahl, 66.

<sup>5</sup> Al-An’am, 145.

9. Pus, because it is putrid blood. If the clear fluid discharge of sore wounds has a bad smell then it is najis, otherwise it is pure.
10. Urine<sup>1</sup>, excrement, feces of animals, mathi, wadi, and any other discharge which comes out of the private parts, except for mani. The mucus discharge of a woman's private parts (as long as it comes from the lower part of the womb) and the fertilized egg becoming like a blood clot and then becoming flesh, are all pure (it must be noted that, regardless of this discharge's purity, it breaks one's wudu).

Urine is of three types: The urine of humans, the urine of animals that may be eaten, and the urine of animals that may not be eaten. All these are najis. The evidence that the former is najis is the previously mentioned hadith about the two people who were being tortured in their graves. The evidence that the other two types are najis is what Allah says: "... And prohibits them from what is bad (and filthy),"<sup>2</sup> and Arabs consider that to be filthy (najis). As for the authentic hadith narrated by Anas رضي الله عنه that he ordered those who suffered from some illness in Medina to drink the urine of camels donated to charity<sup>3</sup>, this was for medicinal reasons and it is known that it is permissible with any najis matter **except** wine.

Feces is najis because of the general consensus of Muslim scholars. There is no difference between the feces of a child or an adult. Feces of all animals is also najis, even that of fish, locusts, flies, and birds. Abdullah ibn Mas'oud رضي الله عنه said: "The Prophet ﷺ went to relieve himself and he asked me to bring him three stones. I found two stones only and looked for a third but could not find, so I took a dry piece of dung and brought it to him. He ﷺ took the two stones and threw away the dung saying: 'This is najis.'"<sup>4</sup>

Al-Nawawi said: "If the affliction<sup>5</sup> is widespread and impossible to avoid, then it is excusable and prayer is acceptable."

Scholars have unanimously agreed that mathi and wadi are najis. Also, the Prophet ﷺ said to Ali رضي الله عنه when he was asked about mathi: "If you see mathi then you should wash your private parts, and perform wudu like you do for prayer."<sup>6</sup> Furthermore, they come out of the private parts as hadath.

11. Stomach secretions coming out of a sleeping person's mouth. If one is afflicted with this (as a result of a hiatal hernia for example), then it is excusable najasa for him only. It is regarded as similar to the blood of fleas, urine incontinence, or istihada which are excusable for the difficulty of their avoidance. If there is no change in the color or smell of this secretion then it is pure. Also, discharge from the chest, throat, or sinuses (such as mucus, phlegm, or saliva) is pure. If one is not

<sup>1</sup> Except the urine of a baby boy less than two years old and breast-fed only. This type has been mentioned earlier as minor najasa.

<sup>2</sup> Al-A'raf, 157.

<sup>3</sup> See Al-Bukhari, Vol. 5, The Book of Medicine, Chapter 6/5362.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Wudu, Chapter 20/155.

<sup>5</sup> He meant bird droppings, like in the court yards of mosques.

<sup>6</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 83/206.

certain of the source of the discharge, then it is recommended to wash it as a precaution.

12. Vomit, even from a suckling baby, and even if the milk has not changed<sup>1</sup> (curdled).
13. Rennet<sup>2</sup> taken from a suckling lamb, which has eaten something other than milk, after its death or slaughter. However, rennet taken from a slaughtered suckling lamb that has eaten nothing but milk is pure.

## Note

The initial presumption for all things is that they are pure, as long as their impurity has not been decisively established. For example, if it is rumored that a lotion or a food, which comes from non-Muslim countries, contains najis ingredients such as lard or alcohol, the lotion or food is pure until its impurity is decisively established.

## Najasa which becomes pure by metamorphosis

1. Wine that becomes vinegar of its own accord becomes pure, and so does its container. Similarly, if it becomes vinegar by moving it from the shadow to sun light, or vice versa provided nothing is added to it.
2. The hide of unslaughtered dead animals (except dogs and swine and the offspring of any of them) becomes pure by tanning. This tanned hide can be used for all purposes. Abdullah ibn Abbas رضي الله عنه said: "I heard the Prophet ﷺ saying: 'If a hide is tanned it becomes pure.'"<sup>3</sup> Also, he said: "A servant of Maymounah was given a sheep in charity then it died. The Prophet ﷺ passed by her and said: 'Why don't you take the hide and tan it so that you can benefit from it?' They said: 'But it is a dead animal.' He said: 'Verily only eating it is forbidden.'"<sup>4</sup> Tanning can be done with anything that can, clean, dry, and extract all excess substances from the hide so as to preserve the hide and delay its decomposition. Professional tanners are the references in this matter.
3. The blood of the musk deer becomes pure by metamorphosis into musk.

## How objects become najis

If something that is inherently najis or something that has become najis touches something pure then, if both objects are dry the najasa is not transferred and that which is pure remains so. However, if one or both is wet or damp then the najasa is transferred and the pure object will have become najis.

<sup>1</sup> According to Hanafi, less than a mouthful of vomit is not najis. According to Maliki school, milk which comes out of the mouth of a suckling baby is not najis if it has not curdled. Therefore, in cases of necessity one can follow another school of thought. There are differences amongst scholars of the Shafi'i school with regard to (the purity of) the mother's clothes and breasts, which can be excused.

<sup>2</sup> A coagulating yellowish substance taken from the stomach of a suckling goat and used in cheese-making.

<sup>3</sup> Muslim, Vol.1, The Book of Menses, Chapter 27/105.

<sup>4</sup> Muslim, Vol.1, The Book of Menses, Chapter 27/100.

# Purifying what has become najis

Rules differ as to whether what is najis is water, a liquid, or a solid substance:

## Water

This can be less than two qillas, or equal to two or more qillas. If najis water is less than two qillas then it can be purified by adding water (be it pure, najis, or used) to it until it is equal to two qillas provided there is no change in its three attributes (taste, color, or smell). If the two qillas are divided after that, they remain pure.

If a liquid other than water is added to the other, be it pure or najis, until its amount is equal to two qillas, with no change in it, then the whole thing is najis.

If the amount of water is large, (greater than two qillas), and it has become najis due to a change in one of its three attributes by najasa, it becomes pure if the change disappears. The change can disappear by one of three things:

1. The color, taste, or smell may disappear by itself, due to exposure to the sun, air, or because of the time lapse.
2. By taking out some of it, provided that the remaining amount is equal to or greater than two qillas. If the remaining amount is less than two qillas then, definitely, the water does not become pure. The disappearance of change due to taking part of it can be explained, for example, by the fact that the water may be filling the vessel to the top such that wind (or sun) cannot penetrate it, but when its amount is reduced, the wind (or sun) can penetrate and thus it becomes pure. If the change disappeared, and we concluded its purity, then it changed again, it remains pure and this change does not count because it is pure water that has changed without coming into contact with najasa, hence it is pure like water which never became najis.
3. Adding other water to it, whether the added water is pure or najis, in large or small amounts, and whether it is poured onto it or springs from within it.

If the change disappears by a cover up, like throwing musk into it thus changing its smell, or shaking the water until it becomes murky due to the soil at its bottom, then it does not become pure because a cover up does not purify.

## Liquids other than water

Liquids other than water such as oil or vinegar, will never become pure however large the amount may be<sup>1</sup> - even if the substance of najasa is removed<sup>2</sup>.

If the oil, ghee, or other types of fat is solid, then it does not become pure by washing or otherwise but one discards the najasa and the fat around it, and the remainder can be used. If the najasa is mixed with the fat, it does not become pure.

<sup>1</sup> According to Hanafi scholars, it is possible to purify najis liquids by pouring water into it and removing it three times, or by putting it into a vessel with holes at the bottom, then adding water. The liquid will float, if it is oil or a liquid with similar properties. The mixture is stirred and the holes are opened until all the water is gone. This is an opinion of Shafi'i scholars as well.

<sup>2</sup> However, it is permissible to use these liquids in industry, like soap manufacture, taking provisions for its filthiness.



Abu Hurayrah رضي الله عنه said: "The Messenger of Allah ﷺ said: 'If a mouse falls into the fat, then if it is solid throw the mouse away and what surrounds it, but if it is liquid then do no approach it.'"<sup>1</sup>

## **Solid materials**

Solid materials can be purified according to the type of najasa that has come into contact with it:

### **Purifying what has become najis with major najasa**

If something becomes najis by contact with dogs or swine or their offspring or by contact with what they leave in a vessel after eating, then this thing does not become pure except by being washed with water seven times, one of which must be mixed with earth. It is not sufficient to sprinkle earth on the place. It is recommended to use earth in the first or second washing. Neither soap nor any cleaning substance can be used instead of earth for the above mentioned hadith of Abu Hurayrah رضي الله عنه about the dregs of a dog: "The purification of one's vessel if a dog licks up (or eats) from it is to wash it seven times, the first of which should be with earth." In another narration he said "... one of which..." It is not obligatory to rub (the vessel) with one's hand but it is sufficient to throw the earth in the container of water and stir it about. If a dog eats from a vessel in which there is solid food, the food which has come into contact with the dog and its surroundings should be thrown away and the remainder is pure<sup>2</sup> (tahir).

The evidence that swine's najasa should be definitely washed seven times with earth is what the majority of Shafi'i scholars have said: "The swine is worse than the dog, therefore it is more confirmed that its najasa should be washed seven times."

### **Purifying what has become najis with minor najasa**

Thoroughly sprinkling the place with water purifies it. Sprinkling should be done with enough water to wet most of the spot, though it need not flow over it. Umm Qais bint Mihsan رضي الله عنها narrated that: "She came to the Messenger of Allah ﷺ with her son who had fed on nothing but breast milk. He (the Messenger of Allah) put him on his lap and the boy urinated. Ubaidillah said: 'He ﷺ did no more than sprinkle water on it.'"<sup>3</sup> Abu Al-Samh, the servant of the Messenger of Allah ﷺ said: "The Messenger of Allah ﷺ said: 'The urine of a baby girl needs to be washed, and the urine of a baby boy needs to be sprinkled on (with water).'"<sup>4</sup> In another narration from Ali ibn Abu Talib رضي الله عنه "... as long as he is only breast-fed."

### **Purifying what has become najis with medium najasa**

This is divided into najasa that is visible and najasa that is invisible.

<sup>1</sup> Abu Dawood, Vol. 4, The Book of Food, Chapter 48/3842.

<sup>2</sup> In a similar manner to what is done with a solid fat in which a mouse dies.

<sup>3</sup> Muslim, Vol. 1, The Book of Purification, Chapter 31/103.

<sup>4</sup> Al-Nasa'i, Vol. 1, page 158. Because the urine of a baby boy is less concentrated than that of a baby girl.

Visible najasa has mass, color, smell, or taste. An object that has become najis with visible najasa does not become pure except by removing the substance of the najasa. If the smell or color is difficult to remove, then the fact that **one** of these two remains does not affect the object's purity. The criterion for allowing that is to wash it three times (with rubbing) and then the trace of color or smell remains. However, if both remain then the object is not considered pure, but they are excused if impossible to remove. Similarly, if it is impossible to remove the taste then purification is not achieved but it can be excused. In this case, the spot is considered as najis rather than pure but is excused. The criterion of impossibility is that it is not possible to remove the najasa except by cutting out the najis part.

Speculative najasa: is that which has no color, taste, smell, or volume such as urine which has dried without leaving a discernible characteristic. It is sufficient to purify the place by running water over it, even without the intention to do so, like rain water for example. The important thing is for water to flow over the object even in small quantities, by pouring it over the najasa. The small amount of rinse water<sup>1</sup> is non-purifying pure water provided it does not change (its attributes).

Washing all types of najasa, except major najasa, must be done one time only. Once means to remove the najasa even if this is achieved by more than one washing. The sunna is to do three washes, i.e. a second and third wash after completing the first one by removing the najasa. It is not a condition of purity to squeeze the najis object.

## Supplement

After washing a najis spot of an object, we should, when washing the rest of the object, re-wash the surroundings of the previously washed spot, otherwise this part will remain najis.

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<sup>1</sup> Water which remains after washing the material najasa off a dress or the like.

# MENSTRUATION, POSTNATAL BLEEDING, AND ISTIHADA<sup>1</sup>

## Menstruation

### Definition

**Literally:** To flow.

**Legally:** The periodic flow of dark (possibly painful) blood from the uterus after puberty. Caused by neither illness nor giving birth.

### Evidence

Allah says: "They ask you concerning women's menses."<sup>2</sup> Also, Aisha رضي الله عنها narrated that the Prophet ﷺ said about menstruation: "This is something which Allah has written upon the daughters of Adam."<sup>3</sup>

### The age for menstruation

The minimum age for menstruation is nine lunar years<sup>4</sup>. If a woman sees blood before this age (nine full years) by an interval less than the *duration of a menstrual period and its purity*<sup>5</sup> then this blood is considered as menstruation, otherwise, it is blood that nullifies wudu and does not fall under the rules of menstruation. According to Imam Al-Shafi'i, unlike other scholars, there is no maximum age for the end of menstruation (menopause). Thus a woman can have a menstrual period until death. However, normally a woman does not menstruate after the age of sixty two.

### The duration of a menstrual period

The minimum duration of a menstrual period is a 24 hr. period of the usual continuous menstrual bleeding<sup>6</sup> (there being no interval of purity in between). The maximum duration is fifteen days and nights. If it continues, then it is istihada. The average duration is six or seven days and nights<sup>7</sup>. Hamnah bint Jahesh, who used to menstruate without having any interval of purity, narrated that the Prophet ﷺ said to her: "Verily

<sup>1</sup> Irregular bleeding being neither menstruation nor postnatal bleeding.

<sup>2</sup> Al-Baqarah, 222.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Menses, Chapter 1/ 290.

<sup>4</sup> The lunar year is 354 days.

<sup>5</sup> The duration of menstruation will be explained in the next section.

<sup>6</sup> Accordingly, if a menopausal woman sees intermittent blood during fifteen days which does not add up to the amount of usual continuous bleeding of menstruation for one day and one night, then this blood is considered as istihada.

<sup>7</sup> This information concerning menstruation and postnatal bleeding has been derived by Imam Al-Shafi'i through induction. Hence, anything which does not have a ruling in Shari'a, nor in language, should be referred to common convention.


it is a way of Shaytan (to confuse you), so allow yourself a menstrual period of six or seven days as Allah has instructed you, then perform ghusl, then act as though you have become pure and pray twenty four nights or twenty three nights and days and fast and pray (during this time) as is your due and continue to do this, following the normal cycle of menstruation and purity that women experience.”<sup>1</sup>

## The duration of purity

The minimum interval of purity between two menstrual periods is fifteen days and nights. There is no maximum limit to the number of days between menstrual purities. Thus, a woman may spend a lifetime without menstruating. There is no limit for the number of days between menstrual and postnatal periods, therefore if a woman has finished her postnatal bleeding then sees blood the next day, it could be menstruation. Generally, the number of days between two menstrual periods (the purity duration) is related to the number of days of menstruation, i.e. if menstruation lasts for six days, the interval of purity would be twenty four days.

On the basis of what has been mentioned above concerning the maximum and minimum duration of menstruation, here are some practical examples :

1. If a woman menstruates for seven days and stays pure for twelve days then she sees blood on the thirteenth day after being clean, this blood is considered istihada because the minimal duration of purity is fifteen days. She will follow the rules of istihada on the thirteenth, fourteenth, and fifteenth days of purity. If she continues to see blood until the sixteenth day or longer, then this blood is regarded as menstruation because the duration has exceeded fifteen days (the minimal duration of purity).
2. If a woman menstruates for four days then is pure for six days then bleeds again, this blood is menstruation because the sum of four and six is ten which is less than the maximum duration of menstruation, therefore the six days she considered herself pure were of menstruation. She follows the rules of menstruation during the following five days. But if the second bleeding exceeds these five days, it will be considered istihada because the sum of four and six and five is fifteen which is the maximum duration of menstruation. Anything longer than that is istihada. The cases of istihada will be explained later in this chapter.

The beginning of purity can be identified by seeing ‘a white pad’ (white vaginal discharge) for it was narrated that: “The women used to send to Aisha  their cotton pads with yellowish discharge and she would say: ‘Do not rush till you see the whiteness of the cotton pad,’ referring to purity from menstruation.”<sup>2</sup>

Murky or yellowish discharge is considered menstrual flow as long as it is during the days of menstruation and before seeing white discharge (this is true whether the woman is *inexperienced*<sup>3</sup> or *experienced* with unusual menstruation). But if it occurs

<sup>1</sup> Al-Tirmithi, Vol. 1, The Chapters of Purification, Chapter 95/128.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Menses, Chapter 19.

<sup>3</sup> An inexperienced woman is one who is menstruating for the first time.

following white discharge then it is not of menstruation for Umm Atiyah رضي الله عنها narrated: "We never considered yellowish and murky discharge after purity as a thing of importance."<sup>1</sup>

## Postnatal bleeding

### Definition

**Literally:** Giving birth.

**Legally:** It is any bleeding within fifteen days of giving birth.

If the onset of bleeding is after fifteen days (of giving birth) then it is considered menstruation. A woman who sees no blood after childbirth should pray (since she has no idea whether or when she might bleed). If however she begins to bleed ten days after giving birth then these ten days are considered of the postnatal period and any fasting she did during them should be made up when she is pure. This is true for a woman giving birth for the first time (inexperienced) but having had such an experience previously she neither prays nor fasts immediately after (subsequent deliveries) but waits for the same thing to happen. Experience is gained after one occurrence and one should always refer to the last experience.

Giving birth includes the miscarriage of an embryo and the blood that follows this is considered postnatal bleeding<sup>2</sup>. The blood that accompanies the delivery of the baby or comes before it is not postnatal blood but is regarded as istihada. Hence, a woman prays and fasts until the complete delivery of the baby, blood clot, or embryo.

### The duration of postnatal bleeding

Postnatal bleeding may last a moment, generally forty days, and at most sixty. Therefore, if a woman bleeds for 38 days then is pure for 10 days then bleeds again, this blood could be menstrual or postnatal bleeding depending on its properties. If it turns out to be menstruation, her fasting during the ten days of purity is valid and she need not re-do it. But if it turns out to be postnatal bleeding she must re-fast everyday she fasted (during the ten days) because the sum of 38 and 10 is 48 which is less than sixty days (the maximum duration of postnatal bleeding). If the postnatal bleeding exceeds 60 days then it is the same as menstruation when it exceeds 15 days, and she should refer to her experience and to the minimum and general duration.

## Things which are prohibited during menstruation and postnatal bleeding

1. Performing ghusl whether with the intention of worship (e.g. the ghusl of Friday) or lifting hadath. Ghusl recommended for the purpose of cleanliness like ghusl for ihram and Eid ghusl and any other type of ghusl, which does not require the state of

<sup>1</sup> Abu-Dawood, Vol.1, The Book of Purification, Chapter 119/307.

<sup>2</sup> The miscarriage that happens within forty days of conception is not considered giving birth and therefore the bleeding which occurs after it follows the rulings of menstruation.

purity, is not prohibited, for the Prophet ﷺ said to Aisha when she menstruated during hajj: "Perform all the rites of hajj like other pilgrims, but do not perform tawaf (circumambulation) around the Ka'ba until you become clean (from your menses)."<sup>1</sup>

2. Prayer, be it obligatory (fard) or non-obligatory (nafl), funeral prayer, the prostrations of thanks or Quran recital. Since these things are prohibited in the state of minor hadath, then all the more reason for them to be prohibited in the state of major hadath. Abu Sa'id Al-Khadari ؓ narrated that the Prophet ﷺ said to women "... Isn't it true that a woman can neither pray nor fast during her menses."<sup>2</sup>
3. Fasting, be it obligatory or non-obligatory, for the above mentioned hadith.
4. Reading Quran, in an audible voice, for Abdullah ibn Umar ؓ narrated that the Prophet ﷺ said: "Neither the menstruant nor a person in the state of janaba should read anything of the Quran."<sup>3</sup> There is no harm if she recites Quran silently (to herself), or if she follows the written Quran (Mushaf) with her eyes, or moves her lips with the Quran making no audible sound. All these cases are not prohibited because they are not considered reading or recitation. Sign language (of the deaf) is considered pronunciation, if it can be understood by others, otherwise it is not prohibited. The prohibition occurs when Quran recitation is an intention in itself or combined with other intentions. When this *bar*<sup>4</sup> is existent, there is no harm in reciting if the intention is for praise or not specified (intending nothing). Whereas, if the bar is non-existent (in purity) reading Quran in any fashion is considered recitation, even if it is not intended as such. During menstruation and postnatal bleeding, it is sinful and forbidden (haram) to pronounce even a letter of the Quran if the intention is to recite it, but it is permissible to do tasbeeh, du'a, tahlil, thikr, etc...
5. Touching the Mushaf<sup>5</sup> with any part of the body, for Allah says: "Which none shall touch but those who are pure."<sup>6</sup> This is true even with a barrier, even if touching the Quran's case, box, holder (while it is on it), or cover (be it attached to the Quran or separated but still related to it)<sup>7</sup>. Also, it is prohibited to carry the Mushaf even when it is in one's luggage if the intention is to carry the Mushaf. But there is no prohibition if the intention is to carry the luggage (which contains the Mushaf) or to

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 80/1567.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Menses, Chapter 6/298.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Book of Purification, Chapter 98/131.

<sup>4</sup> The menstrual or postnatal periods.

<sup>5</sup> Mushaf is what the Quran is called when it is written. This includes anything on which Allah's words have been written. An amulet which is used to protect a person from envy and all harmful things (such as a bead or the like) is excluded. No benefit can be achieved from such an amulet and it is forbidden (haram) to believe in its usefulness. A pendant is considered as a Mushaf when verses of Quran are written on it, and in this case a woman cannot carry it during menstruation or postnatal bleeding. There is no harm for a pure person to carry such a pendant (on which some verses of Quran have been written) as long as he is seeking the blessing of it and depending on Allah only.

<sup>6</sup> Al-Waqi'a, 79.

<sup>7</sup> If this cover is used to cover another book it is not related to the Quran anymore.

carry both (the Mushaf and the luggage). It is permissible to carry tafsir books (explanation of the Quran) as long as the explanation is mixed with the Quranic verses and is more than the Quranic verses. Therefore, tafsir books in which the verses are separated from the text of explanation should not be touched by one who is **not** pure. If a woman in menstruation or postnatal bleeding fears that a Mushaf may burn, that a non-Muslim may touch it, or that it may come into contact with najasa she is not only allowed to carry it, but obliged to.

6. Staying in or frequenting the mosque. Aisha رضي الله عنها narrated that the Prophet ﷺ said: "I forbid (entering) the mosque to a menstruant or to one in a state of janaba."<sup>1</sup> It is permissible to pass through the mosque when a woman needs to take something or to cross to the other side of the road, for Allah says: "Except when travelling on the road,"<sup>2</sup> but she must be sure that her blood will not contaminate the mosque, otherwise it is forbidden. It is makrooh to pass through the mosque for no need, even if she is confident that she will not contaminate the mosque (with blood). The way of passing through is correct in the event that the mosque has two doors, so she can enter from one door and exit from the other one. Without this, it is considered frequenting the mosque which is not permissible.
7. Tawaf (circumambulating around the Ka'ba) because it is like praying except that good talk is permissible. This is true whether tawaf is fard (e.g. *tawaf al-ifadah*), wajeb (e.g. *tawaf al-qudoom*), or nafl (e.g. *tawaf al-wada'*). Aisha رضي الله عنها narrated that the Prophet ﷺ said to her when she menstruated during hajj: "This is the thing which Allah has written on the daughters of Adam. So do what all the pilgrims do except tawaf around the Ka'ba until you are pure."<sup>3</sup>
8. Sexual intercourse. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Whoever has intercourse with a woman during her period...has disbelieved in what has been revealed to Muhammad."<sup>4</sup> Sexual intercourse is prohibited before the blood has ceased, and whoever has intercourse before the blood has ceased, purposely and with full choice, remembering, and knowing (of both bleeding and prohibition) is considered an unbeliever. Having intercourse after the blood has ceased and before performing ghusl is prohibited (for both) as well, but whoever regards it to be permissible has **not** committed disbelief. It is not makrooh to have intercourse immediately after performing ghusl. If a reoccurrence of bleeding is expected then it is recommended to avoid intercourse as a precaution. Allah says: "They ask you (Muhammad) concerning women's menses. Say: It is a hurt, so keep away from women in their menses, and do not approach (have intercourse) them until they are pure. But when they have purified themselves you may approach them in the way ordained for you by Allah."<sup>5</sup> Whoever regards having intercourse in the agreed upon

<sup>1</sup> Abu Dawood, Vol.1, The Book of Purification, Chapter 93/232.

<sup>2</sup> Al-Nisa', 43.

<sup>3</sup> Al-Bukhari, Vol.1, The Book of Menses, Chapter 7/299.

<sup>4</sup> Al-Tirmithi, Vol.1, The Book of Purification, Chapter 102/135.

<sup>5</sup> Al-Baqarah, 222.

duration of menstruation (the first ten days)<sup>1</sup> as permissible has committed disbelief. However, if one has intercourse in the non-agreed upon duration (longer than ten days), he has not committed disbelief. All these are true unless one is afraid to commit adultery. In this case he may have intercourse even if the blood does not cease. The common opinion in the Shafi'i school is that no penance is needed. But it is sunna to give in charity one *dinar* if the intercourse occurred in the beginning of bleeding, and a half *dinar* if it occurred in the end of bleeding. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "One *dinar* if the blood is reddish, and half a *dinar* if the blood is yellowish."<sup>2</sup>

9. Foreplay (the partaking of sexual pleasure and enjoyment) from between the navel and the knee. Allah said: "Keep away from women in their menses." Also, Haram ibn Hakim narrated that his uncle asked the Prophet ﷺ about what is permissible to him from his menstruant wife. He said: "You are permitted from what is above the *izar* (an article of clothing that covers between the navel and the knee)."<sup>3</sup> In addition, foreplay (even with no sexual desire) may lead to intercourse and that is why it is prohibited. It is permissible by the consensus of Muslims to partake in foreplay from what is not between the navel and knee. It has been narrated that Aisha رضي الله عنها said: "Whenever Allah's Messenger ﷺ wanted to approach<sup>4</sup> any of us during her menses, he used to order her to put on an *izar* then he would approach her." Aisha رضي الله عنها added: "Not one of you can control his sexual desires as the Prophet ﷺ could."<sup>5</sup> It has been said that only intercourse is prohibited, and this is what Imam Al-Nawawi sees. Anas رضي الله عنه narrated that the Prophet ﷺ said: "You can do everything but intercourse."<sup>6</sup> However, the former hadith is adopted.
10. To divorce, because divorcing a woman during her menstrual or postnatal period prolongs her *idda*<sup>7</sup>. Since the menstrual or postnatal durations are not included in *idda*, and this is harmful to her.

When a woman becomes pure and before she has purified herself, fasting, purification, passing through the mosque and being divorced are no longer forbidden to her. That is because the cause of prohibition<sup>8</sup> does not exist any longer and she is the same as one who is in a state of *janaba*. Praying, *tawaf*, reading Quran, and carrying the Mushaf remain all forbidden to her until she performs *ghusl* and that is because the restriction is due to the existence of *hadath* which has not been lifted. Similarly, foreplay is prohibited until she performs *ghusl*. When a woman becomes pure (from menstruation or postnatal bleeding) she should make up the fast days she missed, but

<sup>1</sup> If the woman is still bleeding.

<sup>2</sup> Al-Tirmithi, Vol. 1, The Chapters of Purification, Chapter 103/137.

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 83, 212.

<sup>4</sup> Approach means here skin contact in any way.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Menses, Chapter 5/296.

<sup>6</sup> Muslim, Vol. 1, The Book of Menses, Chapter 3/16.

<sup>7</sup> A period during which a widow or a divorcee may not remarry.

<sup>8</sup> Which is: The coexistence of two weaknesses (fasting and bleeding), prolonging *idda* duration, and contaminating the mosque, in the case of fasting, divorce, and passing through the mosque respectively.



not the missed prayers. That is because (obligatory) prayers are numerous and difficult to make up. Aisha رضي الله عنها narrated: "When we are in menstruation we have been ordered to make up the missed day of fasting but not the missed prayers."<sup>1</sup> Some (scholars) say it is prohibited to make up the missed prayers, while others say it is makrooh, but it is more likely that there is no prohibition.

## Istihada

### Definition of istihada

**Literally:** To flow.

**Legally:** Irregular bleeding outside menstruation (between menstrual periods) and postnatal bleeding times. This includes bleeding:

1. Before the age of nine,
2. after menopause, or
3. longer than the maximum, or less than the minimum duration of menstruation.

Thus, the *mustahada* is a woman who bleeds continuously out of the expected and usual times. Istihada is continuous hadath (chronic bleeding), therefore it does not prevent fasting, praying, or having intercourse. So the mustahada can have intercourse in the duration that is regarded as purity, even if she is bleeding. Ikrimah رضي الله عنه said: "When Umm Habeeba was in istihada, her husband used to have intercourse with her."<sup>2</sup> Moreover she can pray and that is greater. Aisha رضي الله عنها said: "Fatimah bint Abu Hubaish came to the Prophet ﷺ and said: 'O Messenger of Allah, I have persistent istihada and I do not become pure. Shall I give up prayer?' He replied: 'No, this is from a vein and not menstruation. Give up the prayer when the (real) menstruation begins and, when it has finished, perform ghusl and return back to prayer.'"<sup>3</sup> This means that she considers herself as menstruant for a duration and does what a menstruant does. She stays like that as long as she has menstrual bleeding which is distinguished by its color and odor, from istihada bleeding. It has been narrated that Fatimah bint Abu Hubaish used to get persistent istihada, so the Prophet ﷺ said: "It is menstruation when the blood is distinguishable and black. So abandon prayer. But when it is the other (istihada) perform wudu, because the bleeding is from a blood vessel."<sup>4</sup>

When a woman believes that she is pure, she performs ghusl and makes wudu for each obligatory prayer after the time of a particular prayer has started. She prays with each wudu just one obligatory prayer and as many non-obligatory prayers as she wishes. In this case, she needs to take precautions for her purification. She must wash her private parts then put cotton padding (as in a tampon) inside her vagina. But if that hurts, or she is fasting or a virgin, or if this precaution is not needed, then she may use

<sup>1</sup> Muslim, Vol.1, The Book of Menses, Chapter 15/69.

<sup>2</sup> Abu Dawood, Vol.1, The Book of Purification, Chapter 120/309.

<sup>3</sup> Muslim, Vol.1, The Book of Menses, Chapter 14/62.

<sup>4</sup> Al-Nasa'i, Vol.1, Page 185.

a large thick pad and fasten it securely in place. Then she performs wudu (or tayamum) after the prayer's time has started and immediately following the washing and fastening the pad. Then she starts the prayer immediately following the wudu and without delay. Hammah bint Jahesh ~~ؓ~~ said: "I said: 'O Messenger of Allah. I menstruate very heavily so I cannot pray and fast?' He replied: 'I advise you to use khursuf<sup>1</sup>, it stops the blood.' She said: 'It is more than that.' He said: 'Bind the area with something (like a belted pad).' She said: 'It is more than that.' He said: 'Apply a dressing to yourself. She said: 'It is more than that, it flows heavily'...Then he said: 'It is a way of Shaytan...'"<sup>2</sup> If a little blood leaks despite all these precautions, her purification and prayer remain valid. There is no harm if she delays the prayer having to do with preparing for the prayer such as covering her awra, waiting for the congregational prayer, or perfuming herself, and she is not negligent in doing that. It is not permissible to delay the prayer for reasons not having to do with preparing for prayer, and she has to repeat her wudu. For each wudu she has to re-wash her private parts and change the padding or dressing (if the latter is displaced or if blood seeps from its edges)<sup>3</sup>.

If she cannot discriminate between menstrual and istihada blood she should depend on her previous usual habit (of menstruation) if she can remember its time and duration. If she forgets everything she is the *mutahayra* (the confused). This case is very rare and too long and complicated to be covered in this book<sup>4</sup>. Therefore we will only explain the four most frequent cases of istihada:

### **The case of the *inexperienced*<sup>5</sup> *discriminating*<sup>6</sup> woman**

She depends on her ability to discriminate. So she is a menstruant during the heavy bleeding days and a mustahada during the light bleeding days. Three conditions of discrimination must be satisfied:

- a. The heavy bleeding must not be for less than one day and night.
- b. The heavy bleeding must not be for more than 15 days.
- c. The weak bleeding must not be for less than 15 days.

That is to consider heavy bleeding as menstruation and weak bleeding as purity.

If she has dark (heavy) bleeding, for one day and night or longer, then it turns to a red bleeding (weak) before the 15 days have elapsed, she considers herself a menstruant during the days of red bleeding (does not pray, fast, or have intercourse), for red bleeding may cease before the end of the 15 days and thus both bleedings are menstruation. If the red bleeding lasts longer than 15 days she is the *discriminating*

<sup>1</sup> A plant similar to cotton.

<sup>2</sup> Al-Tirmithi, Vol.1, The Chapters of Purification, Chapter 95/128.

<sup>3</sup> All this rulings are applied if the bleeding lasts over the entire prayer's time so there is no enough interval of time to perform wudu and pray during it. Hence, if the bleeding has ceased for enough time to have performed wudu and pray during it she is not considered of those who are in a state of continuous hadath. Therefore, she must wash away the najasa, perform wudu, and pray with full purification.

<sup>4</sup> You can see Al-Majmu' or Rowdatul-Talibeen by Imam Al-Nawawi (author) for more details.

<sup>5</sup> Who is bleeding for the first time.

<sup>6</sup> Who has different types of bleeding (heavy and weak).

*mustahada*. So the dark bleeding is menstruation and the weak is purity. She has to perform ghusl after the 15th day and start praying. Also, she needs to make up the missed prayers during the red bleeding days. This is the case the first month. In the next and following months, if the blood changes from heavy to weak she has to perform ghusl then pray (fast and have intercourse) when it changes. Since istihada is a long lasting (chronic) disorder, there is no need to wait until the 15 days have ended. If during a certain month the weak bleeding ceases before 15 days, then the heavy and weak bleedings are both menstruation in this particular month. So she must make up the missed tawaf and fasted days, if they were missed in this menstruation. If the dark (heavy) bleeding lasts 16 days, she has lost the ability to discriminate and becomes the *inexperienced and non-discriminating* woman.

### **The case of the *inexperienced non-discriminating* woman**

She does not get different types of bleeding (heavy and light), or gets heavy and weak bleedings but are not within the discriminating conditions. If she does not know when the bleeding has started, then she is the *confused one (mutahayra)*. But if she does, she assumes herself a menstruant for one day and night and the rest of the month is purity. She repeats this every 30 days periodically. When the inexperienced sees the blood for the first time she abandons fasting and praying (and all other things which a real menstruant woman abandons) hoping that the blood will cease before 15 days. If that happens, it is menstruation. If the bleeding exceeds the 15 days she knows that she is a *mustahada*, so she should assume herself as a menstruant for one day and night. If her bleeding continues again, in the second month, she should perform ghusl after one day and night and not wait until the end of the 15 days. Because she knows from the previous month that she is *mustahada*, and it looks like it will be the same situation in the second and following months. If, in a certain month, the blood ceases before 15 days then it is menstruation (and not istihada) in this particular month. Therefore, her ghusl which she has performed after one day and night, her fasting, and prayer are not valid and she is not to be blamed for that. She must repeat her fasting or other (obligatory) things that she has performed during what she thought to be menstruation. The istihada is confirmed with one occurrence. So, if she has istihada the first month she assumes the same will happen in the second month unless otherwise occurs.

### **The case of the *habituated non-discriminating* woman**

A *habituated non-discriminating* woman is one who was in the habit of menstruating for a few days every month, then this changed and the bleeding exceeded her habit and the fifteen days. Furthermore, she has no discrimination. If her habit was to menstruate for less than fifteen days then she sees blood for longer than her habit, she waits to see if the blood will cease before fifteen days or later. Meanwhile, she must behave like a menstruant woman (abandon prayers ... etc.). If the bleeding ceases before or at the end of the fifteen days, it is menstruation. But, if it exceeds the fifteen days, it is istihada, and she must perform ghusl. Because she is non-discriminating, she depends on her previous habit with regards to its time and duration. So, she regards herself in

menstruation for the same time and duration of her usual habit and the rest is regarded as purity. Hence, she must make up the missed prayers during the assumed duration of purity.

She should depend on her usual habit of menstruation and purity. This will be her cycle, so if her habit was to menstruate for one day and night and become pure for fifteen days then have another menstruation on the seventeenth day, her cycle is every sixteen days. If she used to menstruate for six days and become pure for twenty four days, her cycle is thirty days. In the second month, if the bleeding exceeds her usual duration, she performs ghusl when her usual duration has finished because she already knows from the first month that she is mustahada. Subsequently, she performs ghusl every month when her usual menstruation finishes and prays and fasts. If the blood ceases before or on the fifteenth day in a certain month, it is menstruation in this particular month, and therefore everything she had performed (praying, fasting, tawaf...etc.) during these days is void. Normally, habit is established by one occurrence. But, if she has a varying habit (e.g. once five days and the other seven days) she counts on the previous period (the last one before istihada).

### **The case of the *habituated recollecting discriminating* woman**

She counts on her ability to discriminate not on her habit. For example, if her habit is to menstruate for five days every month, but one month, she has dark (heavy) bleeding for ten days which is followed by reddish or yellowish bleeding, she counts on her ability to discriminate between the two types of bleedings and regards herself as menstruant during the dark days of bleeding. This is true if the minimal interval of purity (15 days) does not occur in between the bleedings. If it does, for example, if she sees weak bleeding for 20 days then heavy bleeding for 5 days then again weak bleeding, provided that her usual habit was 5 days, the first five days of weak bleeding (which equals her usual menstruation) is menstruation, and the heavy bleeding is another menstruation because there is a full interval of purity between them.

**PART THREE**  
**THE BOOK OF PRAYER**  
**(SALAT)**



# THE CONDITIONS AND TIMES OF PRAYER

## Definition of prayer

**Literally:** *Salat* means invocation, supplication, or prayer. Allah ﷻ says: "And *pray* on their behalf. Verily your *prayers* are a source of security for them,"<sup>1</sup> that is supplicate on their behalf. Legal prayer is called as such because it involves many supplications.

**Legally:** Prayer is words and actions beginning with *takbir*<sup>2</sup>, accompanied by intention (to perform prayer), and ending with *salam*<sup>3</sup>, within certain conditions.

## Evidence of prayer

The prescribed prayers are five. Talha ibn Ubaydallah ؓ narrated that the Prophet ﷺ said to the one asking about Islam: "Five prayers in each day and night (are to be performed)." He asked: 'Do I have to do any other prayer?' He answered: 'No, not unless you volunteer to.'"<sup>4</sup>

## The legal status of the five prescribed prayers

They are obligatory. Allah ﷻ says: "For such prayers are enjoined on believers at stated times,"<sup>5</sup> and for the above mentioned hadith. The Muslim Umma (nation) has agreed that the five prayers are the only obligatory prayers upon every Muslim individual.

## The conditions of prayer

### Conditions obligating prayer

1. **Islam.** Prayer is not obligatory for a non-Muslim, and one does not have to make up missed prayers when one embraces Islam. Allah ﷻ says: "Say to the unbelievers, if they desist (from unbelief), their past will be forgiven them,"<sup>6</sup> and because obligating the making up of prayer would deter people from embracing Islam.

<sup>1</sup> Al-Tauba, 103.

<sup>2</sup> Saying "Allahu akbar."

<sup>3</sup> Saying "Assalamu alaykum wa rahmatullah," which means "Peace and mercy of Allah be upon you."

<sup>4</sup> Muslim, Vol. 1, The Book of Faith, Chapter 2/8.

<sup>5</sup> Al-Nisa', 103.

<sup>6</sup> Al-Anfal, 38.

**2. Puberty.** Prayer is not obligatory for a child<sup>1</sup>, for Ali عليه السلام narrated that the Prophet ﷺ said: "The pen (accountability) has been lifted from three: The sleeper until he awakens, the child until his first wet dream<sup>2</sup>, and the insane (person) until he can reason."<sup>3</sup> A child need not make up missed prayers when he reaches the age of puberty because childhood is a long period of time, and if making prayers up were obligated it would be difficult, therefore it is excused. However, it is recommended for a child to make up prayers missed after, and not before, reaching the age of discrimination.

If a child reaches the age of puberty after performing a prayer and before its time is over, this particular prayer counts and he need not re-perform it, though it is recommended<sup>4</sup>.

Amr ibn Shu'ayb narrated, from his father from his grandfather, that the Messenger of Allah ﷺ said: "Order your children to pray when they are seven years old and strike them for not praying when they are ten<sup>5</sup>. Therefore, a seven year old should be strongly encouraged to pray by his parents, teacher, guardian or caretaker. The child should also be taught about purification and how to make wudu. However, if a seven-year-old is not discriminating, he need not be ordered to pray, nor should a child who becomes discriminating before the age of seven be ordered to pray either. The enforcing of prayer is a communal obligation<sup>6</sup> upon the above mentioned persons and the time lapse of three years is to ease the child into the fulfilment of his coming responsibility. The self discipline required of a person to maintain prayer cannot be attained by a mere and casual command from the parents, therefore they should take their responsibility seriously but only resort to gentle striking after the age of ten for not praying.

**3. Sanity.** Prayer is not obligatory for one who loses his reason through insanity, unconsciousness, illness, or drunkenness, for the above mentioned hadith by Ali عليه السلام: "The pen has been lifted ...." This hadith mentioned the insane, but anyone who loses his ability to reason by a legitimate cause is also not obligated to make up missed prayers when he recovers his reasoning, though it is recommended. This is true if one is not responsible for his loss of reason<sup>7</sup>, otherwise, he is not excused and is obligated to make up the prayer he missed because he lost his ability to reason through an action that is forbidden.

**4. The ability to see and hear.** Prayer is not obligatory for one who is born both blind and deaf, even if he is not mute; or one who becomes blind and deaf before the age

<sup>1</sup> This applies equally to both boys and girls.

<sup>2</sup> For a boy. A girl is accountable when she begins to menstruate.

<sup>3</sup> Abu Dawood, Vol. 4, The Book of Penalties, Chapter 16/4403.

<sup>4</sup> This is unlike hajj, which should, in this case, be re-performed because hajj is obligated once in a lifetime. Hence, it is stipulated that hajj must be performed when one is in a *perfect state*.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 26/495.

<sup>6</sup> A communal obligation is one which if undertaken by someone (of the collectivity of those responsible people), the responsibility is lifted from the rest, but if no one undertakes it, then all are sinful.

<sup>7</sup> Such as causing oneself to lose sanity by taking drugs.



of discrimination. One who becomes blind and deaf after the age of discrimination is obliged to perform the prayer because, by that age, one knows the obligations (of prayer). If one who is born both blind and deaf gains his senses, he does not have to make up missed prayers.

5. **To have been informed.** Prayer is not obligatory for one who has never been informed about prayer such as one who grew up in a high mountain or a remote desert away from scholars. If such a person later knows about prayer, he does not have to make up the prayers he missed before being informed.
6. **Purity from menstruation and postnatal bleeding.** Prayer is not obligatory for a woman in menstrual or postnatal bleeding and it is neither obligatory nor recommended for such a woman to make up missed prayers. However, in the instance a woman does make up such prayers, they are valid and count as non-obligatory prayers.

### The legal status of one who abandons prayer

One who abandons prayer does so either in defiance or in negligence. One who denies that prayer is obligatory, becomes an unbeliever (kafir) and deserves capital punishment<sup>1</sup>, even if he goes through the motions of prayer. The rulings of apostates apply to such a person unless he is a new convert to Islam or has been raised in a high mountain or a remote desert away from Muslim scholars. Jaber ibn Abdullah رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'Between a man and polytheism and unbelief is the non-performance of prayer.'<sup>2</sup> If one denies something upon which there is no scholarly consensus that it is obligatory, such as denying that *witr* prayer is obligatory, then he is not adjudged an unbeliever.

One who believes that prayer is obligatory but neglects it does so either with an excuse such as sleep or forgetting, and in this case is not sinful, and is only obligated to make up the prayer he missed at his leisure; or does so through lack of concern or laziness. In this case he is sinful, and should be executed if he insists on leaving a single prayer. It is recommended that he be asked to repent immediately, and if he does not perform the prayer until its proper time is over, including the *time of excuse*, he should be executed<sup>3</sup>, but he is **not** adjudged to have committed unbelief. Rather, he is given ghusl, prayed upon, and buried in a Muslim graveyard.

### The conditions for the prayer to be valid

1. **Islam.** Prayer is not obligatory for a non-Muslim and he is not obligated to make up any prayers if he becomes Muslim. Allah ﷻ says: "say to those who disbelieve, if you desist, you will be forgiven what has passed."<sup>4</sup> Furthermore obligating the making up of prayer may be a deterrent, therefore was forgiven. Prayer is obligatory

<sup>1</sup> If one is executed for his unbelief (e.g. for denying prayer) he should not be given ghusl nor prayed upon nor buried in a Muslim graveyard.

<sup>2</sup> Muslim, Vol. 1, The Book of Belief, Chapter 35/134.

<sup>3</sup> Such execution is the sole responsibility of the Muslim Government, hence if an individual kills such a person he becomes sinful and the government gives him no immunity.

<sup>4</sup> Al-Anfal, 38.

for an apostate<sup>1</sup> while in apostasy but is not valid until he returns back to Islam. If he returns to Islam, he is obligated to make up the prayers he missed, or performed in a state of apostasy, since he held prayer to be obligatory and was able to perform it, hence, he is like one in a state of hadath.

If one leaves Islam, then loses his sanity, he should make up the prayers he missed when he was insane during the time of apostasy. This is because exempting the insane from performing the prayer is a privilege an apostate is not entitled to. By contrast, if a woman deserts Islam then has her menstruation or postnatal bleeding, she is not obligated to make up the prayers she missed (while bleeding) because she moved from a state in which prayer is obligatory to a state in which leaving prayer is not just permissible but obligatory.

2. **Discrimination.** In that one can comprehend how to perform prayer, distinguish between its obligatory and sunna acts, and know how to perform the obligatory acts properly. Knowing that prayer is obligatory and understanding its acts is a condition for prayer to be valid. This condition stipulates that one be above the age of discrimination.
3. **Knowledge that the prayer's time has begun.** One can achieve this knowledge in person, or by relying on another dependable, knowledgeable person, such as hearing the *call to prayer* (athan) from a knowledgeable *muezzin* (one who gives the call to prayer) in clear weather<sup>2</sup>. Furthermore, one may know the beginning of time by using one's personal reasoning (ijtihad). If one is not capable of reasoning, he may follow a *mujtahid*<sup>3</sup>. This is true if one is sighted. As for one who is blind he must follow a *mujtahid* even if he is capable of reasoning.

If one prays without being certain, and without following a *mujtahid* who is certain, that the prayer's time has begun, then his prayer is not valid because the condition of knowing the beginning of the prayer's time has not been satisfied. If one prays because he thinks, depending on his *ijtihad*, that the prayer's time has begun and then realizes that he has prayed ahead of time, then this prayer counts as a make up (qada') for a missed prayer of the same kind, or as a non-obligatory prayer. Since Allah ﷻ says: "For such prayers are enjoined on believers at stated times."

4. **Purity from both major and minor hadath.** Such purity is achieved by having wudu and ghusl, or making tayamum instead. Allah ﷻ says: "O you who believe! When you go to pray, wash your faces ..." <sup>4</sup> and He ﷻ says: "If you are in a state

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<sup>1</sup> One is adjudged to be an apostate if he denies one of the pillars (rukns) of Islam.

<sup>2</sup> One is not allowed to use one's personal reasoning in this case. This is true if the caller to prayer is really educated and knowledgeable of the times of prayer. As for modern callers, they rely on clocks, therefore one should not pray as soon as one hears the call to prayer, rather one should wait until he is certain that prayer's time has started. Furthermore, when seeking prayer time, one should refer to more than one clock and one caller.

<sup>3</sup> Generally speaking, if one is not capable of forming opinion (ijtihad) on matters of Islamic Law, he may follow one who is qualified to issue expert legal opinion (a *mujtahid*).

<sup>4</sup> Al-Ma'ida, 6.

of janaba purify yourselves.”<sup>1</sup> Abdullah ibn Umar ؓ said: “I heard Allah’s Messenger ﷺ say: “A prayer is not accepted without purification, and zakat is not accepted from ill-gotten gain.”<sup>2</sup>

As for one lacking the two purifiers, ‘water and earth’, prayer is obligatory for him according to his situation, and he is obligated to redo the prayer. If one expects to find one of them, then he may delay the prayer if enough time is left. If he has no hope of finding either of them, he should pray even if it is the beginning of the prayer’s time<sup>3</sup>.

- 5. Purity from najasa in body, clothes, and place of prayer.** The evidence for purity of clothes is Allah’s saying: “And your garments keep free from filth (najasa).”<sup>4</sup> Also, Abu Hurayrah ؓ narrated that: “Khawla bint Yasar came to the Prophet ﷺ and said: ‘O Messenger of Allah, I have but one dress which I wear even when menstruating. What should I do?’ He said: ‘When you get pure (from menstruation), wash it and then pray with it.’” She said: ‘What if it is stained with blood.’ He said: ‘It is enough to wash the blood away and the remaining trace does not matter.’”<sup>5</sup>

The evidence for the purity of the body is the hadith narrated by Aisha ؓ that: “Fatimah bint Abu Hubaysh asked the Messenger of Allah ﷺ: ‘O Messenger of Allah, I do not become pure. Shall I give up prayer?’ He replied: ‘No, this (bleeding) is from a blood vessel and not of menstruation. Give up the prayer when the (real) menstruation begins, and when it has finished, perform ghusl and return back to prayer.’”<sup>6</sup> Another evidence is the hadith of the two people being tortured in their graves.

The evidence for purity of place is the hadith narrated by Abu Hurayrah ؓ that: “A bedouin stood up and started to urinate in the mosque. The people were about to seize him but the Prophet ﷺ said to them: ‘Let him be, and pour a bucket or a container of water over the urine. You have been sent to make things easy and not to make them difficult.’”<sup>7</sup>

One’s prayer is not valid if one prays with najasa (on his body or clothes) that he did not know of, or forgot about. One must repeat the prayer when he remembers, and repeat any other prayer he is certain he has performed with najasa.

If, after finishing the prayer, one notices najasa that he could have contacted during or after the prayer, then one’s prayer is valid though he is recommended to repeat it.

<sup>1</sup> Al-Ma’ida, 6.

<sup>2</sup> Muslim, Vol 1, The Book of Purification, Chapter 2.

<sup>3</sup> The prayer of the one lacking the two purifiers has been described in detail in the chapter of tayamum, in this book.

<sup>4</sup> Al-Muddathir, 4.

<sup>5</sup> Abu Dawood, Vol 1, The Book of Purification, Chapter 132/365.

<sup>6</sup> Al-Bukhari, Vol 1, The Book of Menstruation, Chapter 8/300.

<sup>7</sup> Al-Bukhari, Vol 1, The Book of Wudu, Chapter 57/217.

If one notices najasa on the body, clothes, or place of prayer of someone praying who is ignorant of the fact he must inform him if he knows that it invalidates the prayer according to the school of the one praying.

If one gets a najasa on a portion of one's garment or body and loses track of its spot, then all of it must be washed without trying to decide where the spot might be.

If one finds no water to wash away a spot of inexcusable najasa on his garment, then he may perform the prayer unclothed and need not make it up later because the obligation (of prayer) is fulfilled if one prays unclothed but not if with najasa. If one has to put the najis garment on (such as in very cold or hot weather), he may pray in it but must make the prayer up later if he can because praying with an inexcusable najasa is a rare incident, therefore, one has to make up the prayer later.

If one finds no water to wash away a spot of najasa on a portion (which one can cut off) of one's garment, he must cut it if doing so costs the same as renting another garment. If cutting the najis portion costs more than renting another garment, then one is not obligated to cut it, rather he prays unclothed and repeats the prayer.

If one finds no water to wash away an inexcusable najasa on his body, he must pray on time then repeat the prayer later because praying on time is very important and must be respected. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "And if I order you to do something, then do of it as much as you possibly can."<sup>1</sup>

Purity of the place of prayer means that one must be certain of the purity of what one touches when standing, sitting, and prostrating whether from below, above (like a ceiling), or the sides (like a wall). One's prayer is valid if performed on a pure rug placed on a najis place. However, one's prayer is not valid if a portion of one's garment or body touches, during the prayer, a najasa located on the ceiling or wall, unless the najasa is dry and one avoids it immediately in which case it is excusable.

One's prayer is valid if performed on the pure portion of a rug or mat which is affected with some najasa on another part, and it is not valid if performed on the najis part.

One's prayer is not valid if one's pure clothes are connected to something najis. If the end of one's turban lays on najis ground then one's prayer is not valid because he is carrying something connected to najasa. The same is true if one is holding a leach attached to a dog's neck. One's prayer is valid, if one puts the leach under his foot so that he is not carrying it.

A tattoo is regarded as najasa, therefore one must remove it if doing so does not cause bodily harm that permits tayamum, otherwise one is not obligated to remove it. This is true if one gets a tattoo after the age of puberty, but, if before, one is not obligated to remove it.

The following are excusable:

**a.** Bird droppings in the place of prayer, provided:

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<sup>1</sup> Al-Bukhari, Vol 6, The Book of Holding Fast to the Quran and Sunna, Chapter 2/6858.

1. It is impossible to avoid the droppings- one cannot change one's place of prayer.
2. One does not intend to stand on them.
3. The droppings and the body of the one praying are both dry.
- b. The area of istijmar, even if it becomes damp with sweat.
- c. Street mud, if one is certain it contains najasa but is unable to avoid<sup>1</sup> it.
- d. Najasa that is indiscernible by the naked eye.
- e. A *little* dirt of fleas, lice, mosquitoes, bugs, or flies.
- f. A *little* of bat's urine, urine of an incontinent person, blood of istihada, and fluid from sores or pimples.

The rulings of blood, pus, and matter from pimples, boils, sores, and the place of bloodletting or cupping, are as follows:

- Absolutely inexcusable, be it great or little: This includes major najasa (from dogs or swine), medium najasa that one purposely smears oneself with<sup>2</sup>, or najasa which is mixed with an unnecessary foreign substance<sup>3</sup>.
- Excusable if in small amounts: This includes blood or pus from another person (or animal), provided it is not from a dog or swine and is not purposely acquired. This is true whether it originates from the person praying then returns to him, or gets on him from another person.
- Excusable whether great or little: This includes blood or pus from oneself, such as the blood from a boil, sore, pimple, or the place of bloodletting or cupping, after being stopped with a piece of cotton or the like. This is true even if blood or pus spreads by sweat, or moves from the area over which it is expected to run, as long as it happens spontaneously (without one's intervention), otherwise, only a little is excusable. If one applies a bandaid to a boil then strips it off in order to make it open, then only a little of blood or pus from it is excusable. It usually happens that one may open a boil before its time with an instrument while the boil is still hard, then when the boil ripens much blood and pus exudes from the boil's place. This blood and pus is, probably, inexcusable for it comes out as a result of opening the boil in the first place, and is considered purposely caused.

## 6. Clothing the awra.

**Literally:** *Awra* is derived from the word *iwar* which means a defect, fault, or ugliness. It is called such for its unseemliness and because gazes are lowered away from it.

<sup>1</sup> Mud is excusable when, if mixed with something najis, one cannot distinguish the najasa. If the najasa is apparent then mud is absolutely not excusable. If one is not certain it contains najasa, then it is considered pure because the initial presumption for all things is that they are pure.

<sup>2</sup> Such as what some ignorant people do when they stain themselves with the blood of slaughtered animals.

<sup>3</sup> i.e. When the excusable najasa mixes with an unnecessary substance, even if pure. However, if it mixes with a necessary substance, such as if it mixes with water when one is drinking or purifying, then it is excusable.

**Legally:** One's awra is the part of the body that must be clothed and must not be looked at.

By scholarly consensus, clothing one's awra while praying is a condition for the validity of prayer. Aisha رضي الله عنها narrated that the Prophet ﷺ said: "Allah does not accept the prayer of one who menstruates<sup>1</sup> without a head-cover."<sup>2</sup> Allah ﷻ says: "When they do aught that is shameful, they say: We found our fathers doing so."<sup>3</sup> In the explanation of this verse, Mujahid says: "The polytheists used to do tawaf around The House while unclothed."<sup>4</sup> Bahz ibn Hakim ibn Mu'awia narrated from his father from his grandfather: "I said: 'O Messenger of Allah, who is permitted to see our awra and who is not?'. He replied: 'Keep your awra clothed from everyone but your spouse, or whom your right hand possesses.' I said: 'O Messenger of Allah, what if people are mixed together?' He said: 'Do your best to allow no one to see it.' I said: 'O Messenger of Allah, what if one is alone?' He said: 'Allah is more worthy of your modesty than people.'"<sup>5</sup>

The awra of a man consists of the area between the navel and knee. Abu Ayoub Al-Ansari رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'All above the knees is awra, and all below the navel is awra.'"<sup>6</sup> However, it is necessary to cover part of the navel and knees, despite the fact they are not awra, in order to be certain that the neighbouring parts of the awra are covered, because *anything that the obligation cannot be achieved without is an obligation*.

The awra of a woman in prayer consists of the whole body except the face and hands, both their inside and outside, up to the wrists. Allah ﷻ says: "That they should not display their beauty and ornaments except what (must ordinarily) appear."<sup>7</sup> Ibn Abbas رضي الله عنه said: "Her face, hands and the ring."<sup>8</sup> However, if she fears that she might cause temptation, then covering the face and hands becomes obligatory in order to avoid corruption. Yet, she must lift the cover off her face when intending to prostrate so that her forehead touches the ground.

One's clothing must conceal the awra from view from the sides and from above. If one's clothes have a wide collar or wide sleeves so that one's awra may be seen (when prostrating or bowing) from them, then one's prayer is invalid. However, it does not harm if one's awra may be seen from underneath.

One's clothing must be made of a pure (taher) material that prevents the colour of the skin from being seen, such as using a thick garment, or leather. In addition, one's clothing must encompass the body whether by dressing it such as a garment or leather, or another means such as covering one's body with mud.

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<sup>1</sup> i.e. has reached puberty.

<sup>2</sup> Ibn Maja, Vol 1, The Book of Purification, Chapter 132/655.

<sup>3</sup> Al-A'raf, 28.

<sup>4</sup> Tafsir (the explanation) of Ibn Katheer, Vol 2, Page 208.

<sup>5</sup> Abu Dawood, Vol 4, The Book of Bathhouse, Chapter 3/4.17.

<sup>6</sup> Al-Darqutni, Vol. 1, page 231.

<sup>7</sup> Al-Noor, 31.

<sup>8</sup> Tafsir (the explanation) of Ibn Katheer, Vol. 3, page 283.

It is recommended for one to pray in his best clothes, for Allah ﷻ says: "Wear your beautiful apparel at every time and place of prayer."<sup>1</sup> It is recommended for a man to pray in two garments, namely an ankle-length caftan and robe or a shirt with loose long pants, and to wear a turban. Ibn Umar ؓ said: The Messenger of Allah ﷺ said: 'If one of you has two garments then let him pray in them. If one has only one, then let him wrap it around himself but not drape it over his shoulders like the Jews do.'<sup>2</sup>

It is recommended for a woman to pray in three garments, a covering over her head and neck, a full length dress that covers her body and legs, and an opaque over-garment to cover the clothes. The slip should be loose and not cling to her body when prostrating and bowing so that her clothes do not depict her figure. Umar ibn Al-Khattab ؓ said: "A woman may pray in three garments, a dress, a headcover, and an izar."<sup>3</sup>

For both men and women, one's prayer is invalidated if one's awra is uncovered, whether the uncovered area is small or large and whether one is praying alone or in the presence of people. This is true whether one is performing an obligatory or non-obligatory prayer, a funeral prayer, the Quran recital prostration, the prostration of thanks, or tawaf around the Ka'ba.

If, after finishing the prayer, one notices that there is a tear in his clothing through which one's body shows, one must repeat the prayer according to his school of thought whether or not he was aware of it or had merely forgotten it. One is not obligated to repeat the prayer if he presumes that the tear may have occurred after finishing the prayer.

Similarly, if the wind causes part of one's awra to be uncovered but one recovers it immediately then one's prayer is valid. However, one's prayer is invalid if one does so after a long interval, no matter how small the uncovered area is.

If one's clothing is only enough to cover part of one's awra, then one must wear it. A woman is given priority over a man when, if gathered to pray, there is only enough clothing for one of them.

If one is in the dark and unable to cover one's awra, then one performs the prayer without clothes and need not make it up later. In this case, one need not nod for prostration and bowing, rather one should perform them properly. One is considered unable to cover one's awra if one has no clothes at all, has najis clothes and is unable to find water to purify them with, or is locked in a najis place and has one garment only which one needs to lay over the najasa. In these cases, one performs the prayer without clothes but need not make it up later. One is **not** obligated to accept clothing as charity so as not to be under obligation to anyone. One is, however, obligated to borrow clothes from a person he feels comfortable with. If one is offered clothes on a loan and refuses to accept, then one's prayer is

<sup>1</sup> Al-A'raf, 31.

<sup>2</sup> Abu Dawood, Vol 1, The Book of Prayer, Chapter 82/635.

<sup>3</sup> Al-Bayhaqi, Vol 2, page 235 (izar is a slip or pants that cover between the navel and knee).

invalid because one was able to obtain clothing. It is forbidden to forcibly take clothing from another, and if one does so then one has committed a sin although one's prayer is valid.

**7. Facing the qibla.** Allah says: "Turn then your face in the direction of the Sacred Mosque."<sup>1</sup>

*Facing the qibla* means literally facing the Ka'ba if one is close to it. Therefore, if one is praying in the Sacred Mosque or neighbouring houses he is obligated to pray precisely towards the Ka'ba.

As for one who is distant and unable to view the Ka'ba, even if in Mecca, he is obligated to use his own reasoning to establish the direction of the Ka'ba. If one is inside the Ka'ba, then he must see a part of its structure at least 32 cm. high<sup>2</sup>. It is narrated that when the Prophet ﷺ entered the Ka'ba he prayed with its door behind him, facing the wall that is located between the Yemeni and Shami corners. Salim narrated from his father Abdullah ibn Umar ؓ that: "Allah's Messenger ﷺ, Usāma ibn Zaid, Bilal, and Uthman ibn Abu-Talha entered the Ka'ba and then closed its door. When they opened the door I was the first person to enter (the Ka'ba). I met Bilal and asked him: 'Did Allah's Messenger ﷺ pray inside the Ka'ba?' Bilal replied in the affirmative and said: 'He prayed between the two Yemeni corners.'"<sup>3</sup>

When one is far from the Ka'ba, one (even if blind) must establish its direction with certainty. When a blind person is in a mosque, he must rely on its *mihrab* (prayer niche) to know the proper direction. Otherwise, he must depend on a knowledgeable reliable person to inform him of the direction of the qibla.

If one does not know the direction of the qibla, one may use his own reasoning, using signs such as the North Star, the sun, or the moon, to establish the proper direction. Using the North Star to establish the direction of the qibla varies according to one's geographic location. In the region called Sham<sup>4</sup> one puts the North Star behind oneself when praying. In Egypt one puts it behind one's left ear, in Iraq behind one's right ear, and in Yemen one puts it to one's left side.

If one is unable to use his personal reasoning, such as if one has neither eyesight nor insight, then one follows a mujtahid. If one who is not certain of the direction of the qibla prays without using personal reasoning, for being short of prayer time, then one must repeat the prayer.

One must use one's personal reasoning to establish the direction of the qibla before each obligatory prayer.

If, during or after prayer, one becomes certain one was mistaken, then the prayer must be repeated. If, after praying, one changes one's judgement then one uses the new judgement for the following prayers and need not make up the prayer he performed according to the first judgement. If, while praying, one reaches a new

<sup>1</sup> Al-Baqara, 144, 149. The Sacred Mosque meaning here the Ka'ba itself.

<sup>2</sup> Two thirds of a cubit.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 50/1521.

<sup>4</sup> Syria, Lebanon, Jordan and Palestine.



judgement, then one turns (towards the new direction) and proceeds with the prayer.

It is permissible to pray not facing the qibla in only two cases:

- a. When performing the prayer of *extreme fear* (as will be discussed in detail later), whether it is obligatory or non-obligatory prayer. In this case, one need not repeat the prayer.
- b. When performing a non-obligatory prayer while riding an animal<sup>1</sup> on a *permissible journey*. Non-obligatory prayers include both *timed* sunna prayers and *regular* sunna prayers, but do not include obligatory prayers which must be performed while facing the qibla<sup>2</sup> such as a vowed prayer, a funeral prayer (though it is a communal obligation), a prescribed prayer performed by a child, and any prescribed prayers that one is redoing. In all of these prayers, it is obligatory to face the qibla.

A *permissible (mubah) journey* excludes journeys with a forbidden purpose such as theft and highway robbery, and unpurposeful travel such as wandering about aimlessly. In this case one is obliged to face the qibla.

A *moving animal* excludes when the animal is not moving (has stopped), in which case it is not permissible to omit facing the qibla.

The evidence that one may pray not facing the qibla is the hadith narrated by Jaber ibn Abdullah ؓ that: "The Prophet ﷺ used to pray (the non-obligatory prayers) riding on his camel facing the east but whenever he wanted to perform the prescribed prayer he would dismount and face the qibla."<sup>3</sup>

When prostrating one does not have to bow the forehead until it touches the animal's back, rather one merely nods instead of bowing and prostrating. One's nod for prostration must be lower than the nod for bowing<sup>4</sup>.

When praying while walking, one is required to face the qibla in four places and may walk in four others. One faces the qibla during the opening takbir, bowing, prostration, and sitting between the prostrations. One's nod for prostration and bowing is not sufficient and one is obligated to bow and prostrate. One may walk during standing, straightening up, the testification of faith, and salam. In these cases one's qibla is in the direction of one's travel.

<sup>1</sup> The same ruling applies to the car, ship, airplane, and any other modern means of transportation as long as the available space is tight so that one is unable to face the qibla. If the means of transportation is large enough for one to face the qibla, then one must do so.

<sup>2</sup> If someone travelling on a ship or in an airplane is unable to face the qibla (or perform any other rukn), nor able to join the prescribed prayer with another (such as in the case of Fajr prayer), one is not obligated to and need not repeat the prayer. When travelling by car one is obligated to step out and face the proper direction.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Shortening the Prayer, Chapter 9/1048.

<sup>4</sup> If the means of transport is spacious so that one is able to prostrate and bow properly, one is obligated to do so.

## The times of prayer

Prayer time is the specified period of time prescribed by Allah ﷻ for performing prayer.

The basis for the times of prayer is Allah's ﷻ saying: "And celebrate the praises of your Lord, before the rising of the sun and before (its) setting, and during part of the night, (also) celebrate His praises..."<sup>1</sup> Allah ﷻ refers to *Fajr* (dawn) prayer, *Thuhr* (noon) and *Asr* (mid-afternoon) prayers, and *Maghrib* (sunset) and *Isha* (nightfall) prayers.

The times of the five prescribed prayers are determined in a number of hadith, such as: Ibn Abbas ؓ narrated that the Prophet ﷺ said: "Jibreel ؑ led me in prayers, by The House, twice. In the first, he performed Thuhr when the shadow was as long as a shoe strap<sup>2</sup>, then he performed Asr when an object's shadow was equal to the object's height, then he performed Maghrib when the sun went down and the fasting person broke his fast, then he performed Isha when the red in the horizon of the sunset disappeared, then he performed Fajr when dawn broke and food was forbidden for the fasting. The second time, he performed Thuhr when an object's shadow was equal to the object's height, the same time he performed Asr the day before, and he performed Asr when an object's shadow was twice as long as the object's height, then he performed Maghrib the same time as before, then he performed Isha after a third of the night was over, then he performed Fajr prayer when the earth was lit, then he turned to me and said: 'O, Muhammad, these are the (prayer) times of the prophets before you. The time (for each prayer) is between these two.'"<sup>3</sup>

### Thuhr prayer

Allah ﷻ started with Thuhr prayer when He ﷻ said: "Establish regular prayers at the sun's decline."<sup>4</sup> Thuhr<sup>5</sup> prayer is called as such either because it was the first prayer to appear in Islam, since it is the first prayer in which Jibreel ؑ led the Prophet ﷺ and his companions, or because it is apparent in the middle of the day.

The time for Thuhr begins, as indicated in the above mentioned hadith by Ibn Abbas, after the sun's zenith, i.e. when the sun tilts away from the middle of the sky. This can be detected by the transfer of the shadow of an object to the east after it diminishes in length at the time when the sun is perpendicular to the earth.

The time for Thuhr ends when an object's shadow equals the object's height plus the length of its shadow at noon time.

<sup>1</sup> Qaf, 39.

<sup>2</sup> One of the straps of a sandal, for example, which go over the top of the foot. The strap is not mentioned here to specify a particular length, but because zenith time does not show by anything less than this.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Chapters of Prayer, Chapter 113/149.

<sup>4</sup> Al-Isra', 78.

<sup>5</sup> Thuhr in Arabic also means *to appear*.

## Division of the time of Thuhr prayer with respect to reward

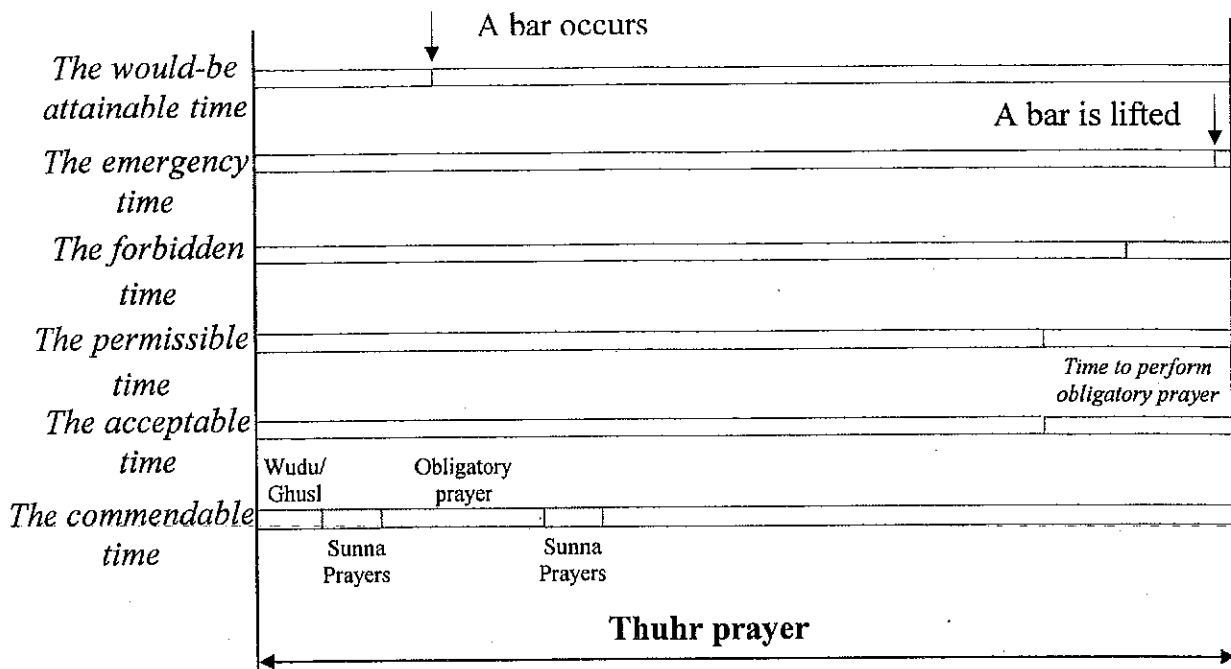
1. **The commendable time.** This is the beginning of the time and it lasts as long as is necessary to take the required steps before and during prayer such as (wudu, ghusl, covering one's awra, beautifying, removing najasa, and performing the prescribed prayer and its associated sunna prayers- *confirmed or unconfirmed*)<sup>1</sup>. What is meant by 'commendable' is that one gets extra reward for performing the prayer at the beginning of its time. The evidence for the merit of this time is the hadith narrated by Abdullah ibn Mas'oud رضي الله عنه who said: "I asked the Prophet ﷺ which deed is more beloved to Allah? He replied: 'To perform the prayer at its (earliest stated) time.'"<sup>2</sup>
2. **The acceptable time.** This time begins with the commendable time and extends till there is just enough time to perform prayer.
3. **The permissible time.** This time also starts with the commendable time and extends till there is just enough time to perform prayer.
4. **The forbidden time.** This is the time until which it is forbidden to delay prayer to. It is so late that there is not enough time to perform prayer. Delaying prayer until this time is forbidden, however if delayed it is considered as current performance and it is forbidden **not** to perform it.
5. **The emergency time.** This is the end of the prayer's time when a *bar*<sup>3</sup> is lifted and there is enough time, or more, for one to pronounce the opening takbir.
6. **The excused time.** This is the time of Asr prayer for late joining Thuhr and Asr prayers in the time of Asr prayer.
7. **The would be-attainable time.** Some scholars have added this time which is the time after which a bar has occurred, such that enough time has elapsed to have performed the prayer (for a sound person<sup>4</sup>) but one did not pray. In this case one has become accountable for the prayer and must make it up when the bar is lifted.

<sup>1</sup> This is the commendable time for all the five prescribed prayers.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 4/504.

<sup>3</sup> Such as menstruation.

<sup>4</sup> Or purification and prayer for one with continuous hadath.



## Asr prayer

Asr prayer is called as such because it coincides with sunset time. It is the middle prayer for Allah ﷻ says: "Guard strictly your prayers, especially the Middle Prayer."<sup>1</sup> The time for Asr prayer begins when an object's shadow becomes equal to the object's height plus the length of its noon-time shadow. It ends when the sun has completely set.

### Division of the time of Asr prayer in respect of reward

1. **The commendable time.**
2. **The acceptable time.** This time starts with the commendable time and continues until an object's shadow becomes twice as long as the object's height plus the length of its shadow at noon-time.
3. **The permissible time.** Starts with the commendable time and ends when the sun turns yellow.
4. **The makrooh permissible time.** Starts when the sun turns yellow and extends until there is just enough time to perform the prayer. Anas رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'Such is the prayer of the hypocrite. He sits watching the sun until it is between the horns of Shaytan, then he gets up and 'pecks' four rak'as making very little mention of Allah in them.'"<sup>2</sup>
5. **The forbidden time.** This is the end of the prayer's time such that there is **not** enough time to perform prayer.

<sup>1</sup> Al-Baqara, 238.

<sup>2</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 34/195.

6. **The excused time.** This is the time of Thuhr prayer when early-joining Thuhr and Asr prayers in the time of Thuhr prayer.
7. **The emergency time.** This is the time when a bar is lifted and there is enough time, or more, for one to pronounce the opening takbir. In this case Asr prayer becomes obligatory on one, as well as Thuhr<sup>1</sup>.
8. **The would-be attainable time.** Same as for Thuhr.

## Maghrib prayer

Maghrib prayer is so called because it is performed at sunset, that is the disappearance of the entire disk of the sun. It does not matter if a few rays remain afterwards, for the above mentioned hadith of Ibn Abbas رضي الله عنه in which was mentioned that Jibreel عليه السلام performed Maghrib prayer when the sun set and the fasting person broke his fast.

According to the 'new opinion' of Al-Shafi'i, this prayer has only **one** time. This is the time that it takes to purify, cover one's awra, do the athan, call the iqama, and then pray five rak'as. That is because Jibreel عليه السلام led the Prophet ﷺ in Maghrib prayer at this time. Yet, here we adopt the old opinion of Al-Shafi'i which is consistent with the three other schools of thought. According to this opinion, the time for Maghrib prayer extends until the red disappears from the sky, as supported by many hadith such as the hadith narrated by Abdullah ibn Amr ibn Al-Aas رضي الله عنه that the Prophet ﷺ said: "... And the time for Maghrib prayer is so long as the red does not disappear,"<sup>2</sup> and in another narration: "And the time for Maghrib prayer is when the sun sets until the red leaves the sky,"<sup>3</sup> and yet in another narration: "And the time for Maghrib prayer is so long as the red glow does not disappear from the horizon."<sup>4</sup>

## Division of the time of Maghrib prayer with respect to reward

1. **The commendable time.**
2. **The acceptable time.**
3. **The permissible time.** All the above times start together at sunset time, and end together when the time needed to prepare for prayer and perform it has passed.
4. **The makrooh permissible time.** This time starts when the above three times end and extends till there is just enough time to perform the prayer.
5. **The forbidden time.**
6. **The excused time.** This is the time of Isha prayer when joining Maghrib and Isha prayers in the time of Isha.

<sup>1</sup> Because, for those who have an excuse, the time of Asr prayer is also the time of Thuhr prayer and the time of Isha prayer is also the time of Maghrib prayer. Hence, if a woman becomes pure of menstruation or postnatal bleeding before the time of Asr prayer is over, even by what is enough, or more, to pronounce the opening takbir, she is obligated to perform it as well as the prayer before it (i.e. Thuhr prayer). If there is not enough time to perform the obligated prayer, she can make it up and she is not blamed for the delay. The cases of the insane if he recovers, the child if he reaches puberty (i.e. has a wet dream for the first time), and the unbeliever (kafir) if he embraces Islam, are measured up against the case of the woman in menstruation or postnatal bleeding.

<sup>2</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 31/173.

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 31/174.

<sup>4</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 31/172.

**7. The emergency time.**

**8. The would-be attainable time.**

## **Isha prayer**

Isha is the name of the beginning of darkness. The time for Isha prayer begins when the red of sunset leaves the sky, for the above mentioned hadith narrated by Ibn Amr ibn Al-Aas رضي الله عنه in which the Prophet ﷺ said: "The time for Maghrib prayer is so long as the spread of the red does not disappear." The time for Isha prayer ends at the break of *true dawn*.

### **Division of the time of Isha prayer with respect to reward**

**1. The commendable time.**

**2. The acceptable time.** Extends until a third of the night has passed.

**3. The permissible time.** Extends to the *deceptive dawn*.

**4. The makrooh permissible time.** Extends from the deceptive dawn till there is just enough time to perform prayer.

**5. The forbidden time.**

**6. The emergency time.**

**7. The excused time.** This is the time of Maghrib if joined with Isha prayer in the time of Maghrib prayer.

**8. The would-be attainable time.** It is makrooh to sleep before having performed Isha prayer, or to talk (idle talk) after it, except for benefit or necessity. Abu Barza رضي الله عنه narrated: "That the Messenger of Allah ﷺ disliked sleep before Isha prayer and talk after it,"<sup>1</sup> in order not to delay one's bed time and hence miss the *tahajjud* (night vigil) prayer, or miss performing Fajr prayer at its stated time or at the beginning of its time.

## **Fajr prayer**

Fajr<sup>2</sup> is called as such because it is the time of the break of light. There are two types of dawn: *The deceptive dawn* which results from the Milkyway that extends from the horizon up into the sky forming a trail in the middle of the sky which looks like a wolf's tail, and appears just before dawn then is followed by darkness. None of the rulings of prayer or fasting are based upon the deceptive dawn.

The other type of dawn is *the true dawn*, and is called as such because it indicates the break of daylight. The light of the true dawn spreads across the whole horizon. All rulings are based upon this dawn.

The evidence for these two dawns is the hadith narrated by Samra رضي الله عنه that the Messenger of Allah ﷺ said: "Let not Bilal's call to prayer, nor the deceptive dawn, stop you from eating your pre-dawn meal (*suhoor*), rather go by the dawn that spreads across the horizon."<sup>3</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 22/543.

<sup>2</sup> The Arabic word Fajr means 'the break'.

<sup>3</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 15/706.

The time for Fajr prayer begins just after the break of the second (true) dawn, and ends when the sun, or even part of it, rises. The appearance of sun rays does not matter for Abdullah ibn Amr ؓ narrated that the Messenger of Allah ﷺ said: "The time for dawn prayer is from the break of dawn as long as the sun has not yet risen,"<sup>1</sup> and for the hadith narrated by Abu Hurayrah ؓ that the Messenger of Allah ﷺ said: "One who performs one rak'a of dawn prayer before sunrise, has made it."<sup>2</sup> Unlike sunset, the rise of a part of the sun disk is equivalent to the rise of the whole sun.

### **Division of the time of Fajr prayer with respect to reward**

1. **The commendable time.**
2. **The acceptable time.** Extends to the break of daylight.
3. **The permissible time.** Extends to the appearance of the redness that precedes sunrise.
4. **The makrooh permissible time.** Extends until just before sunrise so that there is just enough time to perform the prayer.
5. **The forbidden time.** This is when there is not enough time to perform the prayer.
6. **The emergency time.**
7. **The would-be attainable time.**

### **When is prayer obligatory**

It is obligatory to perform prayer at the beginning of its time, for Allah ﷻ says: "Establish regular prayers at the sun's decline."<sup>3</sup> This order to perform the prayer refers to the beginning of the time, which makes prayer obligatory then. Similarly, Abu Tharr ؓ said: "Perform prayer on time,"<sup>4</sup> meaning at the beginning of its time. But, this obligation is *expanded*, so that it is permissible to delay the prayer until enough time is left to perform it. Because performing a prayer is permissible during all of its time, and anytime during which the prayer is permissible is a time for its obligation.

When the prayer's time begins, one is obligated either to perform the prayer immediately or to intend to perform it. If someone neither performs it nor makes the intention to, he has committed a sin. If someone makes the intention to perform the prayer and dies before praying although he had time to, he has not sinned because one is permitted to delay the prayer within its stated time<sup>5</sup>.

However, performing the prayer at the beginning of its time has great merit. Ibn Mas'oud ؓ said: "I asked the Prophet ﷺ which deed is most liked by Allah? He replied: 'To perform the prayer at its (earliest stated) time.'"<sup>6</sup>

If, after one has started the prayer, there is still enough time to perform the obligatory and sunna acts, then it is permissible to recite long verses of the Quran even

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of prayer, Chapter 31/173.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 27/544.

<sup>3</sup> Al-Isra', 78.

<sup>4</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 41/238.

<sup>5</sup> As opposed to hajj, where if one having the ability to perform it delays it and dies before performing it, he has committed a sin because the time for hajj is one's lifetime.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 4/504.

if the prayer's time ends before he has finished the prayer, though it is best not to. Anas رضي الله عنه narrated: "That once Abu Bakr رضي الله عنه led the people in Fajr prayer, and he recited surat Al-Baqarq in it. Umar said to him: 'The sun was about to rise.' He replied: 'If it had risen it would not have found us unmindful.'"<sup>1</sup> In this case, if one rak'a<sup>2</sup> of one's prayer takes place within the prayer's time, then the prayer is considered on time. Otherwise, it is considered qada' (makeup) with no blame.

If, after one has started the prayer and there is enough time only to perform the obligatory acts, it is wiser to recite short verses and perform all the obligatory and sunna acts. If, after one has started, the remaining time is not enough to perform the obligatory acts, then one is obligated to confine oneself to the obligatory acts.

If one rak'a takes place within the prayer's time, then the prayer is considered on time but one has committed a sin therein. If less than one rak'a takes place within the prayer's time, then the prayer is considered a makeup and one has committed a sin by delaying the prayer. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "One who performs one rak'a (of one's prayer within its time), attains the prayer (as done on time)."<sup>3</sup>

The rak'a has this quality, because it includes nearly all the acts of prayer, whereby the rest is a repetition of it.

There is no excuse to delay the prayer beyond its time except if one is asleep, has forgotten, or has delayed it to combine two prayers during a journey. Abu Qatada رضي الله عنه said: "The Messenger of Allah ﷺ said: 'There is no negligence in sleep, but neglect is when one does not perform the prayer (on time) and only becomes aware of it when the time of the next prayer has begun.'"<sup>4</sup>

It is recommended to awaken someone asleep in order to pray especially if the prayer's time is limited, for Allah ﷻ says: "Help you one another in righteousness and piety,"<sup>5</sup> and Aisha رضي الله عنها said: "The Messenger of Allah ﷺ used to pray at night and I would be lying between him and the qibla, then when he wanted to pray the witr he would wake me up in order to perform the witr prayer."<sup>6</sup>

### **Cases in which it is recommended to delay the prayer in exception to the merit of the first of its time**

1. It is recommended, for one who intends to go to a distant congregation, to delay Thuhr, but not Friday prayer, beyond the beginning of its time in very hot weather in hot countries if there is no shade on the way. Abu Tharr Al-Ghifari رضي الله عنه said: "The Messenger of Allah ﷺ said: 'The severity of heat is from the rage of Hell-fire, so in severely hot weather delay the prayer until it becomes (a bit) cooler.'"<sup>7</sup>

<sup>1</sup> Al-Bayhaqi, Vol.2. page 389.

<sup>2</sup> The rak'a ends when one sits after the second prostration of that rak'a.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 28/555.

<sup>4</sup> Al-Nasa'i, Vol. 1, page 294.

<sup>5</sup> Al-Ma'ida, 2.

<sup>6</sup> Muslim, Vol.1, The Book of Prayer, Chapter 51/268.

<sup>7</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 9/514.



2. When one is certain of being able to cover one's awra at the end of the prayer's time.
3. When one knows, or believes, that he will be able to pray in congregation at the end of the prayer's time provided that the delay is not very long.
4. In cloudy weather until one is certain of the time unless he fears missing the prayer.
5. When one feels a need to go to the bathroom.
6. When food is ready and one longs for it. Aisha رضي الله عنها said: "I heard the Messenger of Allah ﷺ saying: 'No prayer (should be prayed) when a meal is present, nor when one feels the need to go to the bathroom.'"<sup>1</sup>
7. When one having tayamum becomes certain that water will be available at the end of the prayer's time.
8. For a sick person who cannot stand up at the beginning of the prayer's time, but knows, he will be able to at the end of the prayer's time.

### Signs that the prayer's time has begun

One who has no knowledge of the prayers' time may rely on a dependable person who has knowledge, to inform him of the time. Also, one may rely on a knowledgeable *muezzin*, or on the crowing of a tried rooster. Otherwise, one may reason on the basis of Quran recital, performing a certain task, and the like<sup>2</sup>. Consequently, one may measure the time by Quran recital or invocation. It is permissible for someone to use personal reasoning even if he can be certain of the prayer's time if he waits for some time. Furthermore, if one is immediately able to achieve knowledge of the prayer's time (by going out of a dark house in order to see the sun), then one is also permitted to use personal reasoning, because going outdoors to see the sun imposes a sort of hardship. A blind person may choose to use personal reasoning or follow a dependable mujtahid.

If one realises after all that he prayed before the prayer's time, one must make the prayer up.

### When and how to make missed prayers up

If one delays an obligatory prayer, until the prayer's time is over, he must make it up. Anas رضي الله عنه narrated: "The Messenger of Allah ﷺ said: 'If any of you sleeps through the prayer or forgets it, then let him pray it when he remembers.'"<sup>3</sup> Yet:

1. If a prayer is missed for a valid reason<sup>4</sup>, it is permissible to make it up at one's leisure (*not immediately*). Umran ibn Husain رضي الله عنه said: "Once in travelling with the Prophet ﷺ we went on till the last part of the night, then we (halted at a place) and we slept a deep sweet sleep. There being nothing more pleasing to a traveller than such a sleep. So it was only the heat of the sun that awakened us

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 16/67.

<sup>2</sup> For example, if one knows that reciting one or two juz' (chapter) of the Quran takes the whole time between Maghrib and Isha prayers.

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 55/316.

<sup>4</sup> i.e. out of forgetfulness or because of sleep.

...till the Prophet ﷺ woke up because of someone's voice. When he got up, the people told him what happened to them. He said: 'There is no harm- or it will not be harmful- move on.' So they departed, and after covering some distance the Prophet ﷺ stopped and asked for water to perform wudu. He performed wudu and the prayer was called for, and he led the people in prayer."<sup>1</sup>

If the prayer were to be made up immediately, the Prophet would not have delayed it until he had left the valley behind. However, it is recommended to make missed prayer up immediately before performing the current one, even if one may miss the congregational prayer, unless one fears the current prayer's time will be over.

2. If a prayer is missed without a valid reason (laziness, business, lack of concern), it is obligatory to make it up immediately and before performing the current one because one had no excuse for delaying it. When missed prayers are numerous, one must occupy all one's time in making them up except for the time spent on sleeping, eating, or earning a living. In this case, one performs each current prayer only when there is just enough time to perform it, using the rest of the time to make the missed prayers up.

It is not permissible to perform a non-obligatory prayer until one has made up all missed prayers. It is recommended that missed prayers be made up in the order they were missed, so that one who has a number of prayers to make up starts with Fajr prayer and ends with Isha. Because the sin of missing a prayer starts when the prayer's time is over and accumulates as time elapses, there is a great emphasis on making up missed prayers before performing the current and non-obligatory one.

If one misses one of the five prescribed prayers but does not remember which one of them it was, then one must pray all five.

It is permissible to make missed prayers up at times in which prayers are forbidden (as described below), unless one purposely intends to do so in which case it is **not** permissible.

### **Times in which nafl (non-obligatory) prayers are forbidden**

There are five times in which non-obligatory prayers (that are not performed for any particular reason, or performed for a reason that will occur after the prayer) are forbidden. Non-obligatory prayers performed during these times do not count. Prayers that have a preceding or accompanying reason are not makrooh. Furthermore, prayers in the Sacred Precinct<sup>2</sup> are permissible at all times whether or not they are performed for a reason. Jubair ibn Mut'em narrated that the Prophet ﷺ said: "O sons of Abd Manaf, do not prevent anyone from tawaf around this House or praying in it, any hour one desires of day or night."<sup>3</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Tayamum, Chapter 5/337.

<sup>2</sup> i.e. The entire area of the Sacred Precinct which has been marked by the Prophet ﷺ from all directions all the way to Mecca, and it includes Mina and Muzdalifa all the way to Arafa, and is marked by well defined markers.

<sup>3</sup> Al-Nasa'i, Vol. 1, page 284.

Two of these times are related to an action and the other three are related to a particular time. The forbidden times related to an action are:

1. After performing Fajr until the sun rises. Abu Sa'id Al-Khadari رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'No prayer (should be performed) after Fajr prayer until the sun rises, and no prayer (should be performed) after Asr prayer until the sun sets.'"<sup>1</sup>
2. After performing Asr until the sun sets, even if one has joined Thuhr and Asr prayers in the time of Thuhr, for the above mentioned hadith.

The forbidden times that are related to the position of the sun are:

1. When the sun is rising. The forbidden time begins when the sun starts to rise and extends until it is a spear's length<sup>2</sup> above the horizon. Ibn Umar رضي الله عنه said: "The Prophet ﷺ said: 'If the rim of the sun has risen, then delay the prayer until it rises, and if the rim of the sun has disappeared then delay the prayer until it sets.'"<sup>3</sup>
2. When the sun is at its zenith until it moves on towards the west. An exception to this is Friday prayer which is not forbidden when the sun is at its zenith whether one is attending the Friday prayer or not. Abu Qatada رضي الله عنه narrated that: "The Prophet ﷺ used to hate praying in the middle of the day except on Friday and he ﷺ said: 'Hell is stoked up (then) except on Friday.'"<sup>4</sup>
3. At sunset. Prayer is forbidden when the sun turns deep yellow<sup>5</sup> until it has set altogether for the above mentioned hadith narrated by Ibn Umar رضي الله عنه: "If the rim of the sun sets then delay prayer until it sets (completely)." Muslim narrated that Uqba ibn Aamer Al-Juhani رضي الله عنه said: "The Messenger of Allah ﷺ used to forbid us from performing prayer, or burying our dead, during three times: When the sun is rising until it has risen, when the animals stand up at noon time<sup>6</sup> until the sun declines (away from the middle of the sky), and when the sun prepares to set until it has completely set."<sup>7</sup>

Performing prayer is forbidden when the imam ascends the *minbar* (pulpit). Prayer then does not count, even if it is an obligatory prayer. This is true for men who have no excuse for not attending Friday prayer whether they are in the mosque or outside it for Abu Hurayrah رضي الله عنه said: "The Messenger of Allah ﷺ said: 'If you say 'listen' to your friend on Friday while the khatib is giving his khutba, you have committed vain talk!'"<sup>8</sup> This does not apply to the two sunna rak'as of *greeting-the-mosque* if one does not fear missing the opening takbir of Friday prayer. Jaber ibn Abdullah رضي الله عنه said: "Sulaik Al-Ghatafani came on Friday while the Messenger of Allah ﷺ was giving a khutba and

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Prayer's Times, Chapter 30/561.

<sup>2</sup> About seven cubits.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Prayer's Times, Chapter 29/558.

<sup>4</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 223/1083.

<sup>5</sup> Even if one has not prayed Asr yet.

<sup>6</sup> Because the ground becomes too hot when the sun is at its highest point.

<sup>7</sup> Muslim, Vol. 1, The Book of the Prayers of Travellers and Shortening it, Chapter 51/293.

<sup>8</sup> Al-Bukhari, Vol. 1, The Book of Friday, Chapter 34/892.

he sat, so he ﷺ said to him: 'O Sulaik, stand up and perform two rak'as and make them fast.' Then he ﷺ said: 'If one of you comes on Friday while the imam is giving his khutba, let him perform two rak'as and make them short.'"<sup>1</sup>

There is a time in which non-obligatory prayer, apart from two quick rak'as, is makrooh. This is the time after the break of dawn for Abu Hurayrah ﷺ narrated that the Messenger of Allah ﷺ said: "If the dawn breaks then perform no prayer but Fajr prayer."<sup>2</sup> Also, Abdullah ibn Umar narrated that his sister, Hafsa, ﷺ said: "The Messenger of Allah ﷺ would not pray after the break of dawn but two quick rak'as."<sup>3</sup> The reason for the above is to allow sufficient time for one to lengthen the reading of the obligatory prayer because dawn is witnessed. Allah ﷻ says: "And the dawn prayer and reading for the prayer and reading in the morning carry their testimony."<sup>4</sup>

Nafl (non-obligatory) prayers are divided according to their cause into three types:

**1. Non-obligatory prayers that have a preceding cause:**

- a. Making up missed non-obligatory prayers, and the cause of this prayer is the missed prayer, because the Messenger of Allah ﷺ prayed two rak'as after Asr prayer and said: "Some people from (the clan of) Abd Al-Qais came to me enquiring for their clan about Islam and they kept me busy that I could not perform the two (sunna) rak'as after Thuhr. These (two rak'as) are (to make up) for those (two sunna rak'as)."<sup>5</sup> Also, Anas ﷺ narrated that the Prophet ﷺ said: "Whoever forgets a prayer should perform it when he recalls it as there is no penance for it but that."<sup>6</sup> Therefore, if one recalls, even at a time in which non-obligatory prayer is forbidden, that he missed a prayer then he should make it up then.
- b. The two sunna rak'as after wudu.
- c. The two rak'as after coming back from travel.
- d. The two sunna rak'as of greeting the mosque.
- e. The prostration of Quran recital.
- f. The prostration of thanks.

**2. Non-obligatory prayers that have a concurrent cause.** This means that the reason occurs at the same time as the prayer, as in *eclipse prayer* in which the person is praying the duration of the eclipse. The reason may occur at a time in which prayer is forbidden, such as an eclipse taking place at a time in which prayer is forbidden.

<sup>1</sup> Muslim, Vol. 2, The Book of Friday, Chapter 14/59.

<sup>2</sup> Narrated by Al-Tabarani in Al-Ousat (The Middle), Majma'a Al-Zawa'id (The Collection of Supplements), Vol.2, page 218.

<sup>3</sup> Al-Nasa'i, Vol. 1, page 283.

<sup>4</sup> Al-Isra', 78.

<sup>5</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 54/297. Narrated by Umm Salama ﷺ.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Prayer Times, Chapter 36/572.

3. *Non-obligatory prayers that have subsequent cause.* These are the two rak'as of ihram, the two rak'as of *istikhara* (*asking-for-guidance*), and the two rak'as of travel. These prayers have a subsequent cause such as ihram, asking for guidance, and travel. All these are forbidden at times in which prayers, that have no reason, are forbidden.

# THE ATHAN (CALL TO PRAYER) AND IQAMA (CALL TO COMMENCE)

## Definition of athan (call to prayer)

**Literally:** It means to announce. Allah ﷻ says: "And athan (an announcement) from Allah and His Messenger."<sup>1</sup> Also, Allah ﷻ says: "And give athan of hajj among people,"<sup>2</sup> meaning proclaim hajj.

**Legally:** A specific invocation to announce that the time of a prescribed prayer has begun.

The words of athan encompass all tenets of faith. Firstly, affirming the existence of Allah ﷻ and the perfection He deserves, then testifying the oneness of Allah and that Muhammad ﷺ is His Messenger, followed by calling to the prayer and calling to success (meaning that coming to the prayer is the means for success).

## Definition of iqama (call to commence)

**Literally:** Iqama is the infinitive of the verb aqama (to perform).

**Legally:** A specific invocation to urge those present to rise to pray.

## Evidence for athan and iqama

Allah ﷻ says: "When you proclaim the call to prayer...."<sup>3</sup>

Malik ibn Al-Huwayreth ؓ narrated that the Prophet ﷺ said: "When the prayer's time is due, then let one of you proclaim the call to prayer and the oldest amongst you lead the prayer."<sup>4</sup>

## How athan and iqama came about and their wording

As for how the call of athan and the call of iqama began, and where their wording came from: Abdullah ibn Zaid ibn Abdurabih ؓ narrated: "When the Messenger of Allah ﷺ gave orders to use a bell to make people assemble for prayer, a man holding a bell appeared to me in my dream, and I asked him: 'O servant of Allah, will you sell the bell?' He replied: 'What do you need it for?' I said: 'We need it to call people to

<sup>1</sup> Al-Tauba, 3.

<sup>2</sup> Al-Hajj, 27.

<sup>3</sup> Al-Ma'ida, 58.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 17/602.

prayer.' He said: 'Shall I tell you what is better?' I said: 'Yes.' He said: 'You may say: Allah is greatest, Allah is greatest. Allah is greatest, Allah is greatest. I testify there is no god but Allah. I testify there is no god but Allah. I testify that Muhammad is the Messenger of Allah. I testify that Muhammad is the Messenger of Allah. Come to the prayer. Come to the prayer. Come to success. Come to success. Allah is greatest, Allah is greatest. There is no god but Allah.' [22] Then the man walked away a little and said: 'When you commence the prayer, you may say: Allah is greatest, Allah is greatest. I testify there is no god but Allah. I testify that Muhammad is the Messenger of Allah. Come to the prayer. Come to success. The prayer is commencing. The prayer is commencing. Allah is greatest, Allah is greatest. There is no god but Allah.' [23] When I woke up, I went to the Messenger of Allah ﷺ and told him about my dream. He ﷺ said: 'This is a true dream insha' Allah (if Allah is willing). Go with Bilal and tell him your dream, then let him call with those words to prayer for his voice is sweeter than yours.' Bilal and I went together, I would recite the words to him and he would call with them to prayer. Umar ؓ heard that from his house, and rushed out dragging along his garment and saying: 'O Messenger of Allah! By He who has sent you with the truth, I had the same dream!' The Messenger ﷺ said: 'All praise and thanks be to Allah.'"<sup>1</sup>

## The legal status of athan and iqama

Athan and iqama are, by scholarly consensus, two communal confirmed sunnas for obligatory prayers, so that there is a public sign and signal. The sunna of the athan is only achieved when the call reaches all parts of the town. Therefore, if the town is large, athan must be raised in each side of it. It is sunna for a group of women who are praying together or a woman praying alone to give the iqama without giving the athan. That is because one's voice must be raised when calling the athan which may cause temptation if the caller is a woman. Whereas calling the iqama requires a woman to raise her voice only enough for herself to hear, or for the group of women who are praying behind her to hear. It is makrooh for her to raise her voice above this limit. If temptation by hearing her voice is feared, then it is forbidden to do so.

Athan and iqama are required for the five prescribed prayers only. Non-obligatory prayers that are to be prayed in congregation such as the prayer of the two Eids, tarawih, witr prayer in Ramdhan, and the prayer for rain are all proclaimed by calling: "The prayer is gathering" (assalatu jami'a). If calling for funeral prayer is needed, then it can be proclaimed by saying: "(Come to) a prayer for those present of Muslim dead."

It is recommended for a man who is praying alone to call the athan and the iqama, even if he has already heard the athan (from the muezzin), and whether he is performing a prayer on time or a make up. When making up one or more missed prescribed prayers, or joining current prescribed prayers, one calls the athan only for the first, but calls the iqama for each one (even if the prescribed prayers are of the

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 28/499.

same type). Abdullah ibn Mas'oud رضي الله عنه said: "On the day of *the battle of Khandaq*, the Prophet ﷺ was distracted by the polytheists from performing four (prescribed) prayers until what Allah was willing of the night was gone, so he ordered Bilal to call the athan, then he gave the call of iqama and performed Thuhr, then he gave the call of iqama and performed Asr, then he gave the call of iqama and performed Maghrib, and finally he gave the call of iqama and performed Isha."<sup>1</sup>

## The conditions of athan and iqama

1. For the time of the prayer to have commenced. It is not valid to call the athan before a prayer's time has begun, because the athan is to inform the people that the prayer's time has begun. This is true except for Fajr prayer, when it is permissible to give the athan from the middle of the night onwards. Abdullah ibn Umar رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Bilal calls the athan (for Fajr prayer) at night, so keep on eating and drinking till Ibn Umm Maktum calls his athan."<sup>2</sup> The time for Fajr prayer starts when people are asleep, and amongst them those who are in a state of major or minor hadath, therefore it is needed for the athan to be called earlier so one can get ready for prayer.

As for the iqama, it is required for the prayer's time to have begun and for the person to be about to pray.

2. For both to be in Arabic if there is one who speaks Arabic well. The only exception is a non-Arab who may give athan for himself in his own language until he learns enough Arabic.
3. That the athan and iqama must be recited in the order mentioned above, without having a long interval between the words. Having a short interval between the words of the athan is permissible. If the athan is not recited in its proper order, then it does not count. That is because changing the order of the words of the athan makes those hearing it unable to recognize it.
4. When calling the athan or the iqama for oneself, they must be audible to oneself. When calling them for a congregation some of the congregation must hear them. If one does the athan silently to himself, it does not count.

## The conditions of a muezzin (one who gives the athan)

1. To be Muslim and to be sane. It is not valid for one who is an unbeliever, an apostate, or insane to call the athan because they all do not have the eligibility of worship.
2. To have reached the age of discrimination.

<sup>1</sup> Al-Tirmithi, Vol. 1, The Book of Prayer, Chapter 132/179.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 11/592



3. To be male, except if calling for a group of women. If a woman calls for a group of men, then her athan is not valid. A woman's imamate of a group of men is not valid, consequently her calling for them is not valid either.
4. To be well versed in the prayer's times, if one is (officially) entrusted to give the athan at all times.

## What is sunna in athan and iqama

1. It is sunna for the muezzin to be above the age of puberty, for Ibn Abbas رضي الله عنه narrated: "Let the best amongst you call the athan."<sup>1</sup>
2. It is sunna for the muezzin to have a strong, loud voice, for the Prophet ﷺ chose Abu Mah'turah to call the athan because of his strong voice<sup>2</sup>, and because it guarantees informing all people. Also, it is recommended for the muezzin to have a pleasant voice, because it is more likely to stimulate response, and for the above mentioned hadith: "Go with Bilal and recite to him your dream, then let him call with it to prayer for his voice is sweeter than yours." When calling for a congregation, it is recommended for the muezzin to raise his voice as much as possible without causing him harm, for Abdullah ibn Abdulrahman ibn Abu Sa'sa'a (Al-Ansari) Al-Mazini from his father, narrated that he informed him that Abu Sa'id Al-Khadari رضي الله عنه said to him: "I see you that you like sheep and the wilderness. So whenever you are with your sheep or in the wilderness and you want to call the athan, raise your voice for everything that hears the voice of the muezzin, whether a person or jinn, will be a witness for him on the Day of Resurrection. Abu Sa'id added: I heard this from Allah's Messenger ﷺ."<sup>3</sup>
3. It is sunna for the muezzin to be versed in the prayers' times (because he is entrusted with them), upright, and virtuous. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "Let the best amongst you call the athan for you, and let those who memorise the most Quran lead you when praying."<sup>4</sup> The muezzin usually gives the athan from a high place, therefore he must be virtuous to be sure that he will not invade people's privacy.
4. It is sunna for the muezzin to be a volunteer. Uthman ibn Abu Al-Aas رضي الله عنه narrated: "I said: 'O Messenger of Allah! Make me the leader of my people.' He ﷺ replied: 'You are their leader, follow the weakest amongst them, and use someone who does not take pay for calling the athan.'"<sup>5</sup>
5. When calling the athan it is sunna for the muezzin to have wudu, because the athan is thikr followed by prayer. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "No one should call the athan but one who has wudu."<sup>6</sup>

<sup>1</sup> Ibn Maja, Vol. 1, The Book of Athan, Chapter 5/726.

<sup>2</sup> Al-Bayhaqi, Vol. 1, Page 393, narrated by Abdullah Ibn Muhayreez رضي الله عنه.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 5/584.

<sup>4</sup> Ibn Maja, Vol. 1, The Book of Athan, Chapter 5/726.

<sup>5</sup> Al-Nasa'i, Vol. 2, Page 23. Here, the command is interpreted as recommended.

<sup>6</sup> Al-Tirmithi, Vol. 1, The Book of Prayer, Chapter 147/200.

6. It is sunna to call the athan from a high place near the mosque, to guarantee notification. Ibn Umar رضي الله عنه narrated: "Allah's Messenger ﷺ used to have two muezzins: Bilal and the blind Ibn Umm Maktum, and Allah's Messenger ﷺ said: 'Bilal calls the athan (for Fajr prayer) at night, so keep on eating and drinking till Ibn Umm Maktum calls the athan.' Then he added: The interval between (the two of) them was only enough for the first to go down and the next to go up."<sup>1</sup>
7. When calling the athan it is sunna to stand. Ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "O Bilal! Stand and then call the athan."<sup>2</sup>
8. When calling the athan it is sunna for one to face the qibla, and to turn one's head (not the chest or feet) to the right when saying "Come to the prayer. Come to the prayer," and to the left when saying "Come to success. Come to success." Abu Juhayfah رضي الله عنه narrated: "I saw Bilal while calling the athan turning his mouth here and there and putting his fingertips in his ears."<sup>3</sup>  
 When calling the athan from a minaret, the muezzin may turn his body (keeping the feet in place) if turning the face only is not sufficient to make the announcement.
9. When calling the athan (not the iqama), it is sunna for the muezzin to put his fingertips in his ears to make his voice louder.
10. When calling the athan it is sunna to say the repetitions of "Allah is Greatest" in pairs, because they are short and easy, and to pronounce them as follow: Allahu akbarallahu akbar. All other phrases (apart from the above mentioned) should be separated from each other. When calling the iqama each two phrases are said in pairs.
11. It is sunna to take one's time in calling the athan<sup>4</sup> and to call the iqama rapidly, without pause. Jaber رضي الله عنه narrated that Allah's Messenger ﷺ said to Bilal: "O Bilal! When calling the athan take your time, and when calling the iqama do so quickly, and leave an interval between your athan and iqama equal to the time needed for one who is eating, drinking, or relieving oneself to finish, and do not stand (you who are about to pray) until you see me."<sup>5</sup>
12. When calling the athan it is sunna for the muezzin to say the sentences of testifying: "I testify there is no god but Allah, I testify that Muhammad is the Messenger of Allah" first to himself, before he says them aloud, so that those present in the mosque or near him hear them; then, to say them aloud.

<sup>1</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 8/38.

<sup>2</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 1/1.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Book of Prayer, Chapter 144/197.

<sup>4</sup> i.e. Pausing for a short interval after each sentence, except for the first repetition of "Allah is Greatest" which is said in pairs then followed by a pause.

<sup>5</sup> Al-Tirmithi, Vol. 1, The Book of Prayer, Chapter 143/195, and he considered this hadith weak. The author of Subl Al-Salam revealed many narrations of this hadith, and then said: ...and all are weak, but can be authorized according to the purpose for which the call to prayer was stipulated. It is a call for those who are not present yet to attend the prayer. Therefore, an interval enough to go to attend the prayer should be considered. Otherwise, the purpose of the call to prayer is not achieved. Al-Subl, Vol. 1, Page 197.

13. When calling the first and second Fajr athan, it is sunna after saying "Come to the prayer. Come to success" to add: "Prayer is better than sleep." [24] This is true, whether Fajr prayer is a current performance or a makeup. Al-Nasa'i narrated from Abu Mahthoura رضي الله عنه: "I used to give the athan for Allah's Messenger ﷺ. I used to say when calling the first athan for Fajr prayer: 'Come to success. Prayer is better than sleep. Prayer is better than sleep. Allah is greatest. Allah is greatest. There is no god but Allah.'"<sup>1</sup>
14. On rainy, windy, or dark nights it is sunna, after giving the athan or after saying "Come to the prayer. Come to success," to say: "Pray at home." [25] Nafe' رضي الله عنه narrated: "Once on a cold night, Ibn Umar gave the athan at Dajnan, and then said: 'Pray at your homes (or camp).' He informed us that Allah's Messenger ﷺ used to order the muezzin to call the athan, and then say after him: 'Pray at home', on a rainy or cold night during the journey."<sup>2</sup>
15. When calling the athan, it is sunna to avoid walking and talking, even responding to salam and saying "Yarhamkumullah" (Allah have mercy on you) if one sneezes, till one finishes. If one calling the athan sneezes while doing so, he says "Alhamdu-lillah" (All praise be to Allah) in his heart, then continues.
16. It is sunna for one calling the athan and the iqama to sit in between them and wait for people to congregate. For, if he makes them in quick succession people will miss the congregational prayer. Thereby, the purpose of the athan will not be achieved.
17. When mosques are close together, people of one mosque should not be content with the athan of another mosque. Rather, the athan should be given in every mosque.
18. It is sunna to stand for iqama in a different spot than that at which the athan was given (though still in the same place or mosque). In the above mentioned hadith of Abdullah Ibn Zaid رضي الله عنه, in which he mentioned the athan then said: "Then the man walked not far and said: 'When you call the iqama, you may say: Allah is greatest...'"

When calling the iqama one's voice must be lower than when calling the athan. When calling the iqama, it is sunna to turn the head from side to side when saying "Come to the prayer" and "Come to success."

## **What one who hears<sup>3</sup>, listens<sup>4</sup> to, or calls the athan and iqama is recommended to say**

1. It is sunna for those hearing or listening to the athan (or iqama) to repeat each phrase after the muezzin (or one calling the iqama), except the phrases "Come to

<sup>1</sup> Al-Nasa'i, Vol. 2, Page 14.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 18/606. Dajnan is a mountain in Tihama, close to Mecca.

<sup>3</sup> i.e. One who unintentionally hears the athan (or iqama) by chance.

<sup>4</sup> i.e. One who intentionally lend one's ear to them.

the prayer” and “Come to success.” After these phrases one says: “There is no power or strength except through Allah.” [26] Umar رضي الله عنه narrated that Allah’s Messenger ﷺ said: “If the muezzin says: ‘Allah is Greatest. Allah is Greatest,’ one of you repeats from one’s heart: ‘Allah is Greatest. Allah is Greatest.’ Then when he says: ‘I testify that there is no god but Allah,’ one repeats: ‘I testify that there is no god but Allah.’ Then when he says: ‘I testify that Muhammad is the Messenger of Allah,’ one repeats: ‘I testify that Muhammad is the Messenger of Allah.’ Then when he says: ‘Come to the prayer,’ one replies: ‘There is no power or strength except through Allah.’ Then when he says: ‘Come to success,’ one replies: ‘There is no power or strength except through Allah.’ Then when he says: ‘Allah is Greatest. Allah is Greatest,’ one repeats: ‘Allah is Greatest. Allah is Greatest.’ Then when he says: ‘There is no god but Allah,’ one repeats: ‘There is no god but Allah,’ one verily will enter Paradise<sup>1</sup>.”

And at the athan for Fajr prayer, when the muezzin says “Prayer is better than sleep,” one says: “You have spoken truth, fully and piously.” [27] When the person giving the iqama says “The prayer is commencing,” one replies “May Allah establish it and make it endure.” [28] It was narrated from Abu Oumama رضي الله عنه, or some of the prophet’s ﷺ companions, that: “Bilal was giving the iqama, and when he said: ‘The prayer is commencing,’ the Prophet ﷺ said: ‘May Allah establish it and make it endure.’”<sup>2</sup> When one reciting the Quran hears the athan, it is recommended for him to stop and respond to the muezzin. This applies to one reciting or reading something else, studying knowledge, or doing thikr, because thikr, and other matters, are not missed if delayed, whereas (responding to) the athan is. One performing the prayer says the words when finished. Also, it is recommended for one having sexual intercourse or going to the bathroom to say the words when finished, as long as the interlude is not long.

If one responding to a muezzin, hears another muezzin, then it is recommended to continue with the first muezzin and not to repeat the words again after the second.

2. It is sunna for the muezzin or the *muqem* (the person calling the iqama), after he finishes the athan (or iqama), and those hearing and listening to him to bless the Prophet ﷺ. Then after the blessing, it is sunna for them to ask Allah to grant the Prophet ﷺ the special place near to Him (*Al-Wassila*). This is to be said after the athan, not after the iqama. Abdullah ibn Amr ibn Al-A’as رضي الله عنه narrated that he heard the Prophet ﷺ saying: “When you hear the muezzin, say what he is saying then bless me, for one who blesses me once Allah blesses him for it ten times. Then ask Allah to grant me al-wassila. It is a place in Paradise deserved only by one of Allah’s servants, and I hope to be that one. One who asks (Allah to grant me) al-wassila, will be permitted the intercession on the Day of Resurrection.”<sup>3</sup> Jaber رضي الله عنه

<sup>1</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 7/12.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 37/528.

<sup>3</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 7/11.

narrated that Allah's Messenger ﷺ said: "One who says when hearing the athan: 'O Allah, Lord of this comprehensive invitation and enduring prayer, grant our master Muhammad al-wassila (a place near to You), an excellence and exalted degree, and bestow on him the praiseworthy station that You have promised him,' [29] will be permitted my intercession on the Day of Resurrection."<sup>1</sup>

3. Also, it is sunna for all of them, to make du'a (supplicate) in between the athan and iqama. Anas ibn Malek ﷺ said: "Allah's Messenger ﷺ said: 'Du'a between the athan and iqama are answered.'"<sup>2</sup> It is recommended for them to supplicate at the athan of Maghrib prayer, for Umm Salama ﷺ said: "Allah's Messenger instructed me to say at the athan of Maghrib: 'O Lord, this is the coming of Your night, the going of Your day, and the voices of those supplicating to You. Do forgive me.'"<sup>3</sup>

[30]

## What is makrooh in athan

1. To stretch the words and exaggerate one's voice.
2. To talk a little.
3. To call the athan while sitting or riding, except when one is riding in a journey.
4. For the one calling the athan to be corrupt.
5. For the one calling the athan to be a young boy<sup>4</sup>, because he may make mistakes.
6. For the one calling the athan to be in a state of minor or major hadath. If one breaks one's wudu while calling the athan, one may proceed. However, if one stops the athan to make wudu, then one may continue from where he stopped if the break is short, though it is preferred to start from the beginning.
7. For the one giving the athan to be blind, because he might be mistaken about the times of prayer. If he has a sighted person with him then it is not makrooh, because Ibn Umm Maktum ﷺ used to call the athan with Bilal ﷺ.

When one hears the athan, it is makrooh to leave the mosque before praying, unless one has an excuse.

<sup>1</sup> Al-Bukhari, The Book of Athan, Chapter 8/589.

<sup>2</sup> Al-Tirmithi, Vol. 1, The Book of Prayer, Chapter 158/212.

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 39/530.

<sup>4</sup> i.e. One above the age of discrimination and less than the age of puberty.

# THE PILLARS (RUKNS) OF PRAYER

The obligatory elements of prayer are thirteen, five of which are *verbal* and the other eight are *physical*. The five verbal elements are: Pronouncing the opening takbir, reading the Fatiha, reading the prayer's final *testification of faith* (tashahud) and the blessings on the Prophet ﷺ after it, and saying salam ("as-salamu alaykum") the first time at the end of prayer. The eight physical pillars are: The intention, standing upright in obligatory prayer for one who is able to, bowing, straightening up after bowing, the first and second prostrations, sitting between the two prostrations, sitting for the prayer's final tashahud (testification of faith), and the proper sequence of the above pillars.

## I. The intention (niyah)

### Definition of the intention

Niyah is to have the intention to do something as you perform it. If performance is delayed, it is then called *azm* (mere intention). The place of the intention is one's heart, though it is recommended for a person to pronounce it.

### Evidence that intention is obligatory

Umar ibn Al-Khattab رضي الله عنه said: "The Messenger of Allah ﷺ said: 'Every deed is according to its intention and to each person what he intends.'"<sup>1</sup> Furthermore, prayer is a pure worship accomplished by certain actions hence it is not valid without an intention. Scholars have agreed that prayer is not valid without intention. Therefore one who, intentionally or absentmindedly, leaves it is not considered to have begun his prayer.

### Conditions of the intention

#### 1. When performing an obligatory prayer<sup>2</sup>:

- a. To make the intention to perform the prayer.
- b. To specify which one it is, in order to distinguish it from other prayers.
- c. To know that the prayer is obligatory. Hence, if one makes the intention without specifying that the prayer is obligatory, the prayer counts as a recommended one. A child need not specify that the prayer is obligatory because all prayers are non-obligatory for him.

<sup>1</sup> Muslim, Vol. 3, The Book of Imara, Chapter 45/155.

<sup>2</sup> Be it one of the five prescribed prayers, a communal obligation such as funeral prayer, a missed, re-performed, or vowed prayer.

It is recommended to add "to Allah Most High," to make the intention of facing the qibla, and mention the number of rak'as. If one mentions the wrong number of rak'as, such as saying in the intention for Thuhr three or five, then one's prayer does not count because one is negligent. Though, if one is not sure of the prayer's time so he intends to perform the prayer either as current or as a missed one, then his prayer is valid. When making up a missed prayer it is sufficient to specify which one it is, Thuhr, Asr, ..., without mentioning the year, month and day on which it was missed.

**2. When performing a non-obligatory prayer<sup>1</sup>:**

**a.** To make the intention to perform the prayer.

**b.** To specify whether it is a regular sunna, a sunna connected to a particular time, or performed for a specific reason. In the regular sunna prayer one must specify whether it is to be offered before or after the prescribed prayer. In prayers that are performed for a reason which may coincide with another prayer (greeting-the-mosque prayer and the two rak'as after wudu) it is not necessary to specify the prayer, though it is recommended<sup>2</sup>. However, if it is prayed independently then it must be specified.

**3. When performing a nafl (non-obligatory) prayer, it is sufficient to intend to perform the prayer.**

## II. The opening takbir

In Arabic, the opening takbir is called *takbiratul ihram*, i.e. the "Forbidding takbir," and it is called as such because it forbids what had been permissible before pronouncing it such as eating or drinking.

### Evidence that the opening takbir is obligatory

Mu'awia ibn Al-Hakam Al-Sullami رضي الله عنه narrated that the Prophet ﷺ said: "No talk is valid in this prayer except for the glorification of Allah, takbir, and recitation of Quran."<sup>3</sup> In this hadith, the Prophet ﷺ associated takbir with reading Quran which indicates that it is an equally important pillar. One who, intentionally or absentmindedly, leaves the opening takbir out has **not** entered into prayer.

### The wording of the opening takbir

The words of the opening takbir are "Allahu akbar" (Allah is Greatest) only. Ali رضي الله عنه narrated that the Prophet ﷺ said: "The key of prayer is purification, its forbiddance is takbir, and its conclusion is salam."<sup>4</sup> Also, Abu Hurayrah رضي الله عنه narrated that: "Once the Prophet ﷺ entered the mosque, a man came in, prayed, and greeted the Prophet ﷺ.

<sup>1</sup> Of all kinds, be it one that has a reason, or a particular time such as the two Eid prayers, *duha* (the midmorning prayer), or *awabeen* (those who revert to Allah) prayers, or a regular one related to prescribed prayers. A non-obligatory prayer that is wholly voluntary is excluded from this.

<sup>2</sup> Such as saying: "I intend to pray two rak'as of the sunna of Asr together with the sunna of greeting-the-mosque."

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 7/33.

<sup>4</sup> Abu Dawood, Vol. 1, The Book of Purification, Chapter 31/61.

The Prophet answered his greeting and said: 'Go back and pray again for you have not prayed.' The man prayed again, came back, and greeted the Prophet ﷺ. The Prophet said to him: 'Go back and pray again for you have not prayed,' three times. The man said: 'By Him Who sent you with The Truth, I know no other than this (prayer), kindly teach me how to pray.' The Prophet said: 'When you stand to pray, say Allahu akbar (Allah is Greatest) then recite from the Quran what you can, then bow until you rest in the bowing position, then straighten yourself from bowing until you are standing upright, then prostrate until you rest in the prostrating position, then rise up from prostration until you rest in the sitting position, then prostrate until you rest in the prostrating position, and so on throughout your prayer.'<sup>1</sup>

### Conditions for its validity

1. It must be pronounced in Arabic. If one is unable to, one can say it in any language he desires, unless one has enough time, in which case he is obligated to learn how to say "Allahu akbar" in Arabic, or his prayer will be invalid because he left the original words though able to learn them.
2. It must be with the very words "Allahu akbar" because the Prophet ﷺ used to enter into prayer with them, and because he said in the hadith narrated by Malek ibn Al-Huwayreth رضي الله عنه: "Pray as you have seen me pray."<sup>2</sup> Hence, it is **not** valid to use any name of Allah other than "*Allahu*," such as: "Al-Rahman Akbar."
3. It must be said in correct order, that is saying "Allahu" before "akbar." Hence, it is not valid to say "akbarullahu."
4. Not to prolong the vowel *A* in the word Allahu (not to say Aaallahu).
5. Not to prolong the vowel after the letter *b* in the word akbar (not to say Akbaar).
6. Not to stress the letter *b* in the word akbar (not to say Akbbar).
7. Not to add the letter "wa" (which, in Arabic, means "and") between the two words Allahu and Akbar (not to say Allahu wa Akbar).
8. Not to make a long pause between the two words. A short pause does not harm. Also, it is acceptable to separate the two words with the definite article 'al,' or with one of the attributes (the most beautiful names) of Allah provided one does not exceed two virtues. Though, it is better not to separate them at all.
9. The takbir must be **audible** to the person saying it whether he is praying alone or as imam.
10. It must be said while facing the qibla, and **after** the imam when one is praying in congregation.
11. It must be said in the obligatory prayer while standing. If one pronounces a single letter not standing up, the prayer will not count as obligatory but as non-obligatory. The same applies to a latecomer who joins the prayer while the imam is bowing, in

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 39/760. This hadith about the one who did not perform prayer properly is very important for it contains many legal rulings about prayer. It will later be quoted regarding to many of the rukns of prayer. The hadith is narrated by the *Two Sheikhs* (Bukhari and Muslim).

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 18/605.



which case one should say all of the opening takbir while standing upright. If one is unable to stand up and prays sitting down, then one may say takbir while seated as well.

12. For the intention to coincide with one's saying "Allahu Akbar" and to stay in one's mind throughout the takbir.

### III. Standing (qiyam)

Standing is a must in obligatory prayers, be they prescribed or vowed. It is obligatory whether the prescribed prayer is current, made up, repeated, or a funeral prayer. It is a condition to stand **upright**, which means standing with the spine straight. Hence, it is not permissible for one to stand leaning to one side so that his spine is no longer upright, nor to bend forward so that he is closer to the *minimum bowing limit* than to standing, in which case his prayer is invalid. It is recommended to bend the neck slightly so that one is looking at the place of one's prostration. It is makrooh, or maybe forgoing what is fitter, to bend the neck more than that. One is obligated to stand as long as it takes to recite the Fatiha. The evidence that standing is obligatory is Allah's ﷻ saying: "And stand before Allah in devotion."<sup>1</sup> Also, Imran ibn Al-Husain ؓ said: "I had hemmoroids, so I asked the Prophet ﷺ about prayer. He said: 'Pray standing, but if you are unable to then sitting, but if unable to then while lying on your side.'"<sup>2</sup> This hadith indicates that standing is obligatory when one is able to, otherwise, if one is unable to stand (because of illness, fear of drowning or falling because of sea sickness in a ship or the like) one can pray while seated and need not repeat the prayer. Similarly, if one has to pray sitting because of an illness, such as being afflicted with incontinence so that he leaks when standing, and doesn't when sitting, then he can pray while seated and need not repeat the prayer. The same is true when Muslims fear for their lives. For example, if Muslim soldiers stay in hiding and pray while seated in fear of the enemy then they do not have to repeat the prayer. One can sit the way one likes because the above mentioned hadith by Imran ؓ did not specify a particular way of sitting; yet, it is makrooh to sit extending one's legs unless pain or illness necessitates so. If one is unable to sit, one can lie on his right side with his face towards the qibla, otherwise on his left. If one is unable to lie on his side then he should pray lying on his back raising his head with a pillow, so that he faces the qibla with his head and upper body, and should nod his head for bowing and prostration. One's nod for bowing should be lower than one's nod for prostration. If one cannot nod then one should motion with one's eyebrows, and if unable to do so one is still obligated to go through the obligatory actions of prayer in one's heart, and recommended to do so for the non-obligatory prayers.

<sup>1</sup> Al-Baqara, 238.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Shortening the Prayer, Chapter 19/1066.

One is obligated to pray as long as he has sanity and reason, therefore one should perform all he is able to. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If I order you to do something, then do as much of it as you are able to."<sup>1</sup>

It is not a must to stand unaided. Hence, if one stands leaning on a wall, a person, or a stick, with no need to, such that if the support is removed he would fall, then one's prayer is valid because he is still considered standing, though it is makrooh to do so.

If one is unable to stand without someone's help, and standing so does not harm him then he should get the help of an aid, even if he has to pay the latter from his own money (provided the money is surplus to his needs and those he is obligated to sustain for the current day and night). This is true if one requires help at the beginning of each rak'a only. However, if one needs help throughout his whole prayer then he need not do so and can pray sitting. This does not apply to the use of a stick which is a must even if one needs it continuously in the prayer because there is no difficulty in using a stick.

If a sick person is able when praying alone to stand when he should throughout the whole prayer without difficulty, but has to sit at some points of the prayer when praying with a congregation, it is preferred that he prays alone, though it is valid to pray in congregation even if he sits in parts of it.

If someone's back is bent because of a deformity or old age so that his normal posture resembles someone bowing then he must stand up as he is, and when he intends to bow he should bend forward as much as he can.

If one is unable to bow or prostrate but is able to stand then he should stand upright and bow and prostrate as much as he can. Therefore, he should bend as much as he can and if he cannot, he should bend his neck and head, and if he needs something to lean onto, or lean against, then he should do so. If one is unable to bend altogether he should nod his head instead. If one is able to stand and lie down but not to sit, he should stand where he is supposed to sit.

It is valid to perform non-obligatory prayers while one is sitting or lying, even if one is able to stand. Jaber ibn Abdullah رضي الله عنه said: "The Messenger of Allah ﷺ used to pray while riding his animal wherever it was heading, and when he wanted to perform a prescribed prayer, he would dismount and face the qibla,"<sup>2</sup> because, non-obligatory prayers are based upon ease. However, one praying seated gets half the reward of one praying standing, and one praying lying down gets half the reward of one praying sitting. Imran ibn Husain رضي الله عنه said: "I asked the Messenger of Allah ﷺ about one's prayer while he is seated and he said: 'It is best for one to pray standing, and one who prays sitting gets half the reward of one standing, and one who prays while lying down gets half the reward of one praying sitting.'"<sup>3</sup> Sufian Al-Thowri said: "This applies to non-obligatory prayers for a sound person and one who has no excuse. However, if

<sup>1</sup> Al-Bukhari, Vol. 6, The Book of Holding Fast to the Quran and Sunna, Chapter 2/6858.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Qibla, Chapter 4/391.

<sup>3</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 274/371.

one has an excuse such as an illness or the like and performs the prayer sitting then he gets the same reward as one praying standing.”<sup>1</sup> To perform a non-obligatory prayer while lying down, though able to sit or stand, invalidates that prayer.

## IV. Reciting the Fatiha

The Fatiha should be recited in every rak’a, either from memory, by looking at the Quran, or by repeating after someone. Ubada ibn Al-Samet رضي الله عنه narrated that the Messenger of Allah ﷺ said: “One who does not recite *the Opening sura of The Book*<sup>2</sup> (the Fatiha) in one’s prayer then his prayer is not valid.”<sup>3</sup> Reciting the Fatiha is obligatory whether one is an imam, follower, or praying alone. This is true whether the prayer is *recited to oneself or aloud*, obligatory or non-obligatory. Abu Qatada رضي الله عنه narrated: “That the Prophet ﷺ used to recite the Fatiha and another sura in the first two rak’as of Thuhr and Asr prayers, and sometimes the verses were audible to us, and he used to recite the Fatiha in the last two rak’as.”<sup>4</sup> As for reciting the Fatiha for a follower, Ubada ibn Al-Samet رضي الله عنه said: “Once the Messenger of Allah ﷺ performed Fajr prayer and found it difficult to recite (Quran), so when he finished he said: ‘I see that you read with your imam!’ They said: ‘O Messenger of Allah, yes indeed, by the name of Allah.’ He said: ‘Then don’t, except for *The Mother of The Book* (the Fatiha) because one’s prayer is not valid if one does not read it.’”<sup>5</sup> If a latecomer to a congregation prayer, misses reciting the Fatiha or part of it, then the imam bears it all, or part of it, on his behalf.

### Conditions of reciting the Fatiha

1. For it to be audible to one whose hearing is sound.
2. For it to be recited in its proper order.
3. Continuity. For it to be recited without any interruption, except as necessary to breathe. Hence, if one mixes it with invocation then that is considered an interruption. Invocations which are part of the prayer (such as saying *ameen* in response to the imam’s *ameen* while one is reading the Fatiha, absentmindedly making du’a, or prostrating with the imam for Quran recital prostration), do not interrupt the continuity of reading. Pausing for a while, be it long or short, with the intention of interrupting one’s reading **does** interrupt the continuity and invalidates the prayer. However, if one pauses, absentmindedly or for an excuse, his reading is not considered to be interrupted.
4. For all the letters of the Fatiha to be properly pronounced and the fourteen stressed letters to be stressed.

<sup>1</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 274.

<sup>2</sup> *The Book* is another name for the Quran.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 13/723.

<sup>4</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 34/155.

<sup>5</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 232/311.

5. For there to be no mistake in the short vowels (*harakat*) such that could alter the meaning<sup>1</sup> of words such as saying "an' amtu" instead "an' amta," or "iaki" instead of "iaka."
6. To not exchange its words or letters by others, such as exchanging (ض) with (ظ) in the word (الضالين) or replacing (د) with (ت) in the word (الدين).
7. To read all its ayahs (verses) including the opening "Bismi-llahi rrahmani-rahim." [13] Umm Salama رضي الله عنها narrated: "That the Prophet ﷺ read 'Bismi-llahi rrahmani-rahim' in prayer considering it an ayah."<sup>2</sup> Furthermore, the companions of the Prophet ﷺ wrote it down when they compiled the Quran, which indicates that it is a verse of the Fatiha.
8. For it to be said in Arabic not the translation thereof, unlike thikr and tasbih (the supplications) of prayer which may be said in another language.
9. For it to be read in its entirety while standing upright, or during the alternative to standing for one unable to stand.

If one does not know the Fatiha by heart yet, he should read any seven, consecutive or scattered, ayahs of the Quran, whether the prayer is obligatory or non-obligatory. If one does not know any ayahs of the Quran by heart, one may say some thikr (supplications) instead. However, the number of letters of the alternative to the Fatiha (be it some ayahs from the Quran or thikr) must not be less than the number of the Fatiha's letters. If one is unable to do any of the above, one may stand silently for a period of time long enough to recite the Fatiha.

A mute should move his tongue and lips, for as long as it takes a normal person to read the Fatiha, with the intention of reading, because reading involves moving the tongue and pronouncing the letters, hence, one is excused of what he is unable to do but is obligated to perform what he is able to. The Messenger of Allah ﷺ said: "If I order you to do something, then do of it as much as you can."

## V. Bowing (ruku')

### Definition of bowing

**Literally:** Ruku' means bending, and it has been said that it means submission (to Allah).

**Legally:** To bow is to bend, until one's palms reach his knees. In doing so one must not thrust one's chest forward, raise his head or tuck in his tailbone.

### Evidence that bowing is obligatory

Allah ﷻ says: "O you who believe! Bow down and prostrate yourselves."<sup>3</sup>

<sup>1</sup> A mistake in a short vowel that does not change the meaning does not invalidate the prayer, be it done intentionally or unintentionally, though it is forbidden and makrooh respectively.

<sup>2</sup> Al-Bayhaki, Vol. 2, page 44.

<sup>3</sup> Al-Hajj, 77.

And the hadith about the person who prayed improperly and the Prophet's ﷺ saying: "Pray as you have seen me pray."<sup>1</sup>

And the general consensus of the Muslim nation.

### **Its minimum form**

For one standing, who is able to bow, having a healthy body and sound hands and knees, the minimum form of bowing<sup>2</sup> is achieved by bending without lowering one's seat, so that his hands can reach his knees. Anything less than that is not considered bowing. Zaid ibn Wahab ؓ narrated that: "Huthaifa saw a man not completing the bowing and prostration. He said (to him): 'You have not prayed, and if you should die you would die on a religion other than that of Muhammad ﷺ.'"<sup>3</sup> If one is unable to perform the above described form of bowing, he should bend as much as he can and nod his head. If one has bowed without placing his hands on his knees and after rising up he became uncertain as to whether or not he had bent himself enough for his hands to reach his knees, then he should repeat the bowing because the initial assumption is that he did not.

For one praying seated, bowing is achieved by bending so that one's forehead is in line with one's knees. The optimum in this case is for one's forehead to be parallel with the place of one's prostration, without touching it otherwise it would be considered a prostration.

### **Its conditions**

1. To relax in the bowing position so that one's body parts settle. The Prophet ﷺ said in the hadith about the person who prayed improperly: "Then bow until you repose therein."
2. To bow for no other reason. If one intends by his motion to prostrate for Quran recital, then when in the bowing posture it occurs to him to bow, it is not sufficient, and one must stand upright then bow. However, if one is praying behind an imam, it will do, such as if the imam recites a verse that requires one to prostrate for Quran recital so the follower praying behind him thinks that the imam is moving to perform the Quran recital prostration so he moves with him then realizes that the imam is moving to bow not to prostrate. In this case, the follower continues and bows with the congregation and it is valid.
3. To bow from the standing position. If one falls down after finishing the Quran recital then rises from the ground until he reaches the bowing position wherein he stops to bow, it is not sufficient. One must stand upright then bow.

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<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 18/605.

<sup>2</sup> The most complete form of bowing, and the most complete form of the rest of the rukns of prayer, is one which includes the sunna acts which will be mentioned in the chapter of the sunnas of prayer.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 37/758.

## VI. Straightening up from bowing (i'tidal)

### Its definition

**Literally:** I'tidal means equality and straightness.

**Legally:** It means to return to one's previous position before one bowed, be he praying in a standing or sitting position. This does not hold true for one who prays lying down. A person performing a non-obligatory prayer while lying down, though he is able to stand, sits first then bows, and when straightening up from bowing he returns to the sitting posture as before bowing. However, if a person is praying while lying because of the inability (to stand) and he bows by bending slightly while lying, then he straightens up by going back to his previous lying position because he is unable to sit.

### Evidence that straightening up from bowing is obligatory

The Prophet ﷺ said in the hadith about person who prayed improperly: "Then bow until you repose therein, then straighten up until you are standing upright."

### Its conditions

1. To straighten up for no other reason. Hence, if one straightens up out of fear of something, it does not count.
2. To relax therein. (In each position of prayer one's muscles must not tense up in anticipation of moving to the next position). If one prostrates then becomes doubtful whether or not he completed his straightening up, he should, as an obligation, straighten up, repose therein, then prostrate.
3. Not to lengthen the straightening up position. If one stands longer than it takes to recite the recommended supplication by as long as it takes to recite the Fatiha, his prayer will become invalid because straightening up from bowing is a short rukn (pillar) which must not be lengthened except in situations in which lengthening is called for (such as the prayer's final straightening up in prayers in which *qunut supplication* is prescribed).

## VII. Prostrating twice (sujood)

### Its definition

**Literally:** Submission and humility.

**Legally:** To touch the place of prayer with a portion of one's forehead.

### Evidence that it is obligatory

Allah ﷻ says: "O you believe! Bow down and prostrate yourselves."<sup>1</sup> Also, the hadith about the person who prayed improperly.

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<sup>1</sup> Al-Hajj, 77.

## Its minimal form

The minimal form of prostration is to touch the place of one's prostration on the ground with a portion of one's forehead.

## Its conditions

1. To relax therein. The Prophet ﷺ said to the one who prayed properly: "Then prostrate till you repose therein."
2. To put the full weight of one's head on the place of prostration. Touching the forehead is not sufficient, rather one should put the weight of his head and neck down on the place of prostration until his forehead settles, so that if there were some cotton under his forehead it would be come compressed. Abu Humaid Al-Saidi رضي الله عنه narrated in the hadith about the description of the Prophet's ﷺ prayer: "... Then he prostrated and put his nose and head firmly on the ground."<sup>1</sup>
3. To intend nothing by one's movement but prostrating. Hence, if when straightening up, one fell upon his forehead, he should return to the straightening up position and then prostrate, because he had not intended to prostrate when he fell down. By contrast, if one moves to prostrate and while doing so, falls down on his side, then he should roll over to the prostration position and intend to prostrate by doing so and he must not, in this case, return to straightening up. If he does, intentionally and while aware that it is forbidden, his prayer is invalid, because he intentionally added an action to the prayer while aware that it is forbidden.
4. One's rear should be higher than one's head. Hence, for example, if one is praying in a ship and cannot satisfy this condition because the ship is inclined, he should pray as his situation permits and he has to repeat this prayer because this is a rare excuse. By contrast, if one is afflicted with an illness that prevents him from prostrating in the above mentioned manner, he need not repeat the prayer.
5. To uncover the forehead, and not to prostrate on something (like clothing) that moves with one's movements. Hence, if one prostrates while there is a barrier covering the whole of his forehead, his prostration will not be valid. However, if one prostrates on something that is connected to him such as the tail of his dress, his sleeve, or the edge of his turban, then if it moves with his movements, when standing up or sitting, his prostration will not be valid, but if it is so long that it does not move with his movements, then the prostration is valid. If one prostrates on a bandage which is difficult for him to remove, and there is no inexcusable najasa underneath it, and he has used water to make wudu, he does not have to repeat the prayer. It is acceptable to prostrate on the hair that grows on one's forehead, because such hair is considered like the forehead's skin in this case.
6. To place part of the knees, the palms, the inside of the toes, and the forehead on the ground. Ibn Abbas رضي الله عنه said: The Prophet ﷺ said: 'I was ordered to prostrate on seven bones: The forehead, and he pointed to his nose, both hands, both knees, and

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 117/734.

the toes of both feet, and not to gather the clothes or tie back the hair.”<sup>1</sup> (Obviously, not tying back the hair does not apply to women who have to cover their hair anyway).

7. Not to raise one's head after prostrating. Hence, if one prostrates on something coarse that hurts his forehead, it does not harm to move one's forehead without lifting it. The same is true if one lifts it before reposing. But, it is wrong if one does so after reposing because in this case one has added an extra prostration to his prayer. Generally, it is wrong if one lifts his forehead without an excuse then puts it down again.

## **VIII. Sitting between the prostrations**

Sitting between the prostrations is obligatory in every prayer and every rak'a, even if one performs the prayer while standing or lying. Because, if one performs a non-obligatory prayer lying down, though able to stand, he has to sit for prostration, then sit between the two prostrations, and then prostrate.

### **Evidence that it is obligatory**

The Prophet ﷺ said to the person who prayed improperly: “Then prostrate till you repose in the prostration position, then rise up till you repose in the sitting position, then prostrate till you repose in prostration.” Also, Hammad ibn Zaid narrated from Thabet that Anas ؓ said: “I do not mind to lead you in prayer as I saw the Messenger of Allah ﷺ leading us. He said: ‘Anas used to do something that I do not see any of you doing ... and when he lifted his head from prostration he remained therein so that one would think he had forgotten.’”<sup>2</sup>

### **Its minimal form**

The relaxing of one's body parts in the sitting position.

### **Its conditions**

1. To repose in it, as stated in the hadith about the person who prayed improperly. And the hadith of Anas ؓ.
2. To intend nothing by one's movement but sitting between prostrations. Hence, if one raises his head in fear of something, it does not count and he has to return to prostration then sit.
3. Not to lengthen it considerably. If one does then one's prayer is invalid.

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 50/779.

<sup>2</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 38/195.



## **IX. Sitting after the last two prostrations of each prayer**

## **X. Reading the testification of faith (tashahud) in the last sitting**

### **The evidence that it is obligatory**

Ibn Mas'oud رضي الله عنه said: "When we prayed behind the Prophet ﷺ, we used to say (while sitting): 'Peace be upon Jibreel and Mika'eel, peace be upon so and so.' Then once Allah's Messenger ﷺ turned to us and said: 'Allah Himself is the Source of Peace, when one of you prays, then let him say: 'Greetings to Allah, and prayers and good deeds. Peace be upon you, O Prophet, and the mercy of Allah and His blessings. Peace be upon us and upon Allah's righteous servants- for if you say that it will include every righteous slave in heaven or on earth- I testify there is no god but Allah, and that Muhammad is the Messenger of Allah.'"<sup>1</sup> [31]

### **Its minimal form**

"Greetings to Allah. Peace be upon you, O Prophet, and the mercy of Allah and His blessings. Peace be upon us and upon Allah's righteous slaves. I testify there is no god but Allah, and that Muhammad is the Messenger of Allah." [32]

### **Its conditions**

1. For it to be audible to oneself.
2. Continuity. Hence, if something else interrupts it, it does not count, but it does not harm to add the vocative particle "ya", which means "oh", before the word "Prophet."
3. To say it sitting down, unless for an excuse.
4. For it to be in Arabic unless one is unable to.
5. To pronounce its words and letters properly and stress all letters that should be stressed.

## **XI. Reading the blessings on the Prophet after the last tashahud**

### **The evidence that it is obligatory**

Allah ﷻ says: "O you who believe! Send your blessings on him and greet him with all respect."<sup>2</sup>

Also, Abu Mas'oud Al-Ansari رضي الله عنه said: "Once the Messenger of Allah ﷺ came while we were in the house of Sa'd ibn Ubadah. Bashir ibn Sa'd said to him: 'O

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 64/797.

<sup>2</sup> Al-Ahzab, 56.

Messenger of Allah, Allah has ordered us to send our blessings upon you. How do we do so?' Abu Mas'oud said: 'The Messenger of Allah ﷺ was silent so that we wished we had not asked him.' The Messenger of Allah ﷺ then said: 'O Allah, bless Muhammad and the folk of Muhammad as You have blessed Ibrahim and the folk of Ibrahim. O Allah, show grace to Muhammad and the folk of Muhammad as You have done to Ibrahim and the folk of Ibrahim. In the worlds, You are truly the Most Praiseworthy and Noble. [33] And greet me as I have taught you.'"<sup>1</sup>

### **Its minimal form**

"O Allah, bless Muhammad (or the Prophet, or the Messenger)." [34]

## **XII. Making Salam**

Salam should be made while in the last sitting.

### **The evidence that it is obligatory**

The above mentioned hadith by Muslim: "The key to prayer is purification, its forbiddance is takbir, and its ending is salam." Hence, salam has been linked in obligation to the takbir.

### **Its minimum form**

The minimum is to say: "assalamu alaykum" (peace be upon you): Once, looking forward, without turning to right or left to be fair to both angels.

### **Its conditions**

1. To say it while facing the qibla with one's chest. Hence, it is wrong to turn one's chest away from the qibla, whereas turning the face for salam is sunna.
2. For it to be audible to oneself.
3. For it to be in Arabic if one is able to, otherwise one can say it in one's language.
4. For one to use the Arabic definite article, "al", with the word "salam"<sup>2</sup> and it should be in the second person plural, i.e. the Arabic 'k' for second person and 'm' for plural must be used in the word "alaykum."
5. Sequence of its words. Hence, it is wrong if one separates its words with talk, or long pauses, or even a short pause, with the intention of interruption. It is valid to change the order of the words if pronounced in Arabic, i.e. to say "alaykum al-salam" because saying the words in a fixed order is not a necessary condition, and because this is another form of salam. If one starts with the word "al-salam" then it is necessary to make the letter "ا" clear and stress the letter "س" such that one says: "assalamu alaykum." It is not valid to omit the letter "ا."

<sup>1</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 17/65.

<sup>2</sup> Opposite to the testification of faith in which it is permissible to omit it.

### XIII. Order (correct sequence)

This means standing upright before bowing, and straightening up from bowing before prostrating, and prostrating before the last sitting, and reading the testification of faith before reading the blessing on the Prophet ﷺ, and reading the latter before making salam. Hence:

1. If someone, intentionally and knowingly, does a physical act ahead of its time and before another physical or verbal act, such as prostrating before bowing, or bowing before reading the Fatiha, his prayer becomes invalid.
2. If one absentmindedly does a physical act ahead of its time before another physical or verbal act, his prayer is **not** invalid, but he has to perform it the moment he recalls it before reaching the same action in another rak'a. However, if one reaches the same action, then the latter takes the place of the forgotten one, and he continues the rest of his prayer<sup>1</sup> from that point onwards.
3. If one, intentionally and knowingly, does a verbal act (apart from salam) before another verbal or physical act such as saying the blessing on the Prophet ﷺ before the testification of faith, or saying the testification of faith before prostrating, then one's prayer is not invalid though that verbal act does not count and one must re-perform it in its proper place.
4. If one, intentionally, makes the verbal act of salam before its proper place, then one's prayer is invalid.

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<sup>1</sup> These cases will be considered in detail when talking about the prostration of forgetfulness.

# SUNNAS OF PRAYER

The sunna acts of prayer are two types:

- a. *Main sunnas*, which are called as such because they come close to obligatory acts in importance and call for a forgetfulness prostration when omitted.
- b. *Ordinary sunnas*, which if omitted do not call for a forgetfulness prostration.

## The prayer's main sunnas

The prayer's main sunnas are four:

1. The prayer's first testification of faith and sitting for it.
2. The blessing on the Prophet ﷺ after the prayer's first testification of faith and sitting for it. It is not recommended to say the blessing on the family of the Prophet ﷺ after it, in fact, it is makrooh.
3. The blessing on the family of the Prophet ﷺ in the prayer's final testification of faith.
4. Saying the qunut (*supplication of devoutness*) after straightening up from bowing in the second rak'a of the Fajr prayer, and standing for it. Anas رضي الله عنه narrated that: "For a whole month the Prophet ﷺ persisted in invoking (vengeance) upon the Kuffar (who killed his hafiz<sup>1</sup> companions near the well of Ma'ouna), then he ceased<sup>2</sup>. In Fajr prayer, he kept on doing qunut till he died."<sup>3</sup> Qunut is also recommended in witr prayer during the second half of Ramadan. Al-Hasan ibn Ali رضي الله عنه said: "The Messenger of Allah ﷺ taught me what to say in witr: 'O Allah, guide me among those You guide, grant me health and pardon among those You grant health and pardon to, look after me among those You look after, grant me grace in what You have given me, and protect me from the evil of what You have ordained, for You decree and none decrees against You, and none is abased of whom You befriend. Our Lord, blessed are You and exalted above all things.'"<sup>4</sup> [35] After saying "and none is abased of whom You befriend," Al-Bayhaqi added "and none is exalted of whom You are at enmity with."<sup>5</sup> [36] Also, Al-Nasa'i added: "O Allah, bless Prophet Muhammad."<sup>6</sup> [37] Al-Nawawi said: "After saying: 'O our Lord, Who are above all things sacred and exalted' there is no harm to add: 'All praise is Yours for what You decree. I

<sup>1</sup> One who knows the whole Quran by heart.

<sup>2</sup> Anas's saying "Then he ceased" means that he ﷺ just ceased invoking (vengeance) upon the unbelievers but does not mean that he ceased to read qunut altogether or that he ﷺ left qunut other than in dawn prayer. Al-Majmu', Vol. 3, page 485.

<sup>3</sup> Al-Bayhaqi, Vol. 2, page 201.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 341/464.

<sup>5</sup> Al-Bayhaqi, Vol. 2, page 209.

<sup>6</sup> Al-Nasa'i, Vol. 3, page 248.

ask Your forgiveness and turn to You in repentance.”<sup>1</sup> [38] If one is reading qunut as an imam (leader of prayer), he should use the plural form “us” and should not restrict the supplication to himself. The above mentioned supplication is that of the Prophet ﷺ. It is recommended to add to this the du’a (supplication) of Umar رضي الله عنه, which is: “O Allah, we ask Your help, Your guidance, and Your forgiveness. In You we believe, to You we return in repentance, on You we rely, You we praise for all good. We are grateful to You not ungrateful. We disown and abandon he who commits outrage against You. O Allah, You alone do we worship, to You we pray and prostrate, You we strive for and hasten to obey. We hope for Your mercy and fear Your punishment. Truly, Your earnest punishment shall overtake the unbelievers. The blessing and peace of Allah may be upon our master Muhammad and upon his folk and companions.”<sup>2</sup> [39]

Qunut has no specific wording. Indeed, it can be accomplished by saying any du’a, glorification of Allah, or Quranic verse containing a supplication (such as the last verses of sura Al-Baqara), though the above mentioned du’a is better. After it, one must invoke the blessing on the Prophet ﷺ.

### What is recommended during qunut

1. To raise one’s hands. Al-Bayhaqi narrated through an authentic sequence that Anas رضي الله عنه, when narrating the event of the massacre of the companions who had memorized the Quran, said: “I saw the Messenger of Allah ﷺ with his hands uplifted whenever he performed Fajr prayer invoking (vengeance) upon them, meaning those who killed the Prophet’s companions.”<sup>3</sup> It is not recommended to wipe one’s face or chest with one’s hands after the supplication. Al-Bayhaqi said: “As for wiping the face with one’s hands when finishing the supplication, I do not know of any of the early Muslims doing it in the supplication of qunut, though it has been narrated that some of them would when supplicating outside the prayer.”<sup>4</sup>
2. To say it out loud if one is leading the prayer. Abu Hurayrah رضي الله عنه said: “The Messenger of Allah ﷺ used to say when raising his head: ‘Allah hears whoever praises Him. Our Lord, all praise is Yours,’ [40] and would make du’a for some people in name by saying: ‘O Allah! Save Al-Walid ibn Al-Walid.’”<sup>5</sup> Had he ﷺ not read the supplication aloud, the narrator would not have heard him, and the followers would not have been able to say ameen (answer our supplications), as will be demonstrated later in a hadith narrated by Abu Dawood about the qunut of the Prophet ﷺ.

When following an imam, one says ameen when the imam finishes his supplication. Ibn Abbas رضي الله عنه said: “The Messenger of Allah read qunut for one

<sup>1</sup> Al-Majmu’, Vol. 3, page 477.

<sup>2</sup> Al-Bayhaqi, Vol. 2, page 211.

<sup>3</sup> Al-Bayhaqi, Vol. 2, page 211.

<sup>4</sup> Al-Bayhaqi, Vol. 2, page 212.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 44/771.

complete month, in Thuhr, Asr, Maghrib, Isha and Fajr prayers. At the end of each prayer, when he ﷺ said: 'Allah hears whoever praises Him' in the last rak'a he would invoke (vengeance) upon branches of the clans of Sulaim, Ri'al, Thakwan, and Usayya. Those praying behind him ﷺ would say ameen."<sup>1</sup> A follower participates with the imam in the praises, by saying similar expressions to himself, such as saying "You decree and none decrees against You," because these words are praise and glorification in which saying ameen is not appropriate. However, if the follower does not hear the imam because he is standing too far from him or he is deaf, then he should say it himself.

When praying alone one says the supplication silently in a silent prayer and aloud in aloud prayers.

3. To say the blessing on the Prophet ﷺ after it.

## The prayer's ordinary sunnas

1. To pronounce the intention before saying the opening takbir.
2. To raise one's hands shoulder level, palms bare and facing the qibla. And in doing so, keep one's fingers slightly spread, so that the fingertips are even with the tops of one's ears, thumbs with the earlobes, and palms with one's shoulders<sup>2</sup>. One raises one's hands:
  - a. When one says the opening takbir, so that one begins raising the hands as one starts saying it and lowers them as he finishes saying it. If one raises his hands before saying "Allahu Akbar," one should keep them raised until he is about to finish saying it. Raising one's hands is required for the act of takbir, hence it should be simultaneous with it.
  - b. When one is about to bow. One begins raising the hands with the beginning of takbir, and prolongs saying it until he reaches the bowing posture. Hence, raising the hands and saying "Allahu akbar" start together but end separately.
  - c. When one starts to straighten up from bowing and while saying "Allah hears whoever praises Him."
  - d. When one stands after the prayer's first testification of faith. If one is praying while seated, one raises his hands when he begins the third rak'a.

The evidence of this is the hadith narrated by Ibn Umar ﷺ, he said: "I saw that whenever Allah's Messenger ﷺ stood for prayer, he would raise his hands up to the level of his shoulders, and would do the same when saying 'Allahu akbar' for

<sup>1</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 44/771.

<sup>2</sup> Scholars have different explanations for the reason behind raising one's hands. Al-Shafi'i ﷺ sees that the point of it is veneration of Allah's glory, following the sunna of His Messenger ﷺ and seeking the reward of Allah ﷻ. Al-Tamimi Al-Shafi'i said: "Some people say: 'Raising the hands is an act of worship, the meaning of which is not known.' Others say: 'It is an indication of rejecting everything but Allah ﷻ and concentrating exclusively on prayer.' Some say: 'Raising the hands is surrendering and giving the lead to Allah just like a prisoner when he surrenders.' Yet others say: 'When praying one raises his hands so that whoever cannot hear him say the takbir may see him and know that he has started the prayer and follow him.'"

bowing and when raising his head from bowing and he would say: 'Allah hears whoever praises Him.' He did not do this when prostrating."<sup>1</sup>

Ali ibn Abu Talib ؓ narrated that: "Whenever he ؓ stood to perform a prescribed prayer, he would do takbir and raise his hands up to the level of his shoulders. He would do the same when intending to bow after he had finished reciting (the verses of Quran) and when rising from bowing. He would not raise his hands while sitting in the prayer. When he stood from the two prostrations he used to raise his hands, as well, saying 'Allahu akbar.'"<sup>2</sup>

3. To stand with one's feet apart, keeping the toes towards the direction of the qibla.
4. To put one's right hand over the left one, so that one holds one's left wrist and part of one's forearm with one's right hand with the fingers around the joint. One puts one's hands under one's chest and above the navel. Wa'il ibn Hujr ؓ narrated: "That he saw the Prophet ؐ when he started the prayer, raising his hands in takbir, then wrapping himself with his garment, and then putting his right hand over the left one."<sup>3</sup> In an authentic narration of Abu Dawood from Asim ibn Kulaib, he said: "...Then he put his right hand on top of his left hand, wrist, and forearm."<sup>4</sup> This is because placing one's hand above the other prevents one from fidgeting with one's hands and helps one to pray in humility and modest entreatment, though there is nothing wrong with holding one's arms to one's sides as long as one keeps them still.
5. To gaze down at one's place of prostration when standing or sitting in order to have *khushou'* (concentration and responsiveness) and not to be distracted, even if one is praying at the Ka'ba. As for the testification of faith, one looks at one's right index finger when saying "but Allah." In the *prayer of fear*, it is recommended to look in the direction of the enemy in order not to be taken by surprise.
6. To recite the *the opening supplication* (du'a of tawajjuh). This is recommended for one performing an obligatory or non-obligatory prayer, alone, as imam, or as follower, as indicated in a hadith by Ali ؓ which will be mentioned later on. When joining a congregational prayer just after the imam has started reciting the Fatiha, one first recites the opening du'a (then follows the imam), and if the imam says ameen before one has started reciting the supplication, one says ameen with him then recites it. The conditions of the opening supplication are:
  - a. The opening supplication should be said after the opening takbir and before one says *ta'awwuth* (I seek refuge in Allah from the cursed Devil) or reciting Quran. If one, even absentmindedly, begins one or the other, then one may not return to the opening supplication because its place was missed.
  - b. The opening supplication is not said in the funeral prayer.

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Prayer's Description, Chapter 3/703.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 118/744. The two prostrations refers to the two rak'as, meaning when he stood from the prayer's first testification of faith, as it was interpreted by Al-Tirmithi and others.

<sup>3</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 15/54.

<sup>4</sup> Abu Dawood, The Book of Prayer, Chapter 116/727.

- c. The opening supplication is not said if the remaining prayer's time is not long enough to perform a complete rak'a, though it is recommended to if the remaining prayer's time is enough to recite the supplication and perform a rak'a.
- d. The opening supplication is not said if a follower fears missing part of the Fatiha.
- e. The opening supplication is said only if the follower joins the imam in the standing position. Therefore, if the follower joins the congregational prayer while the imam is straightening up from bowing, he does not recite the supplication. If one joins the prayer while the imam is sitting for the testification of faith and the imam makes salam (or stands) before the follower sits, then it is recommended for him to recite it.

#### The wording of the opening supplication:

Many different versions have been reported for the opening supplication, the best of which is that narrated by Ali ibn Abu Talib رضي الله عنه that whenever Allah's Messenger ﷺ stood for prayer he would recite: "I turn my face to Him who created the heavens and earth, a pure monotheist, in submission, and am not of those who associate others with Him. My prayer, worship, life, and death are for Allah, Lord of the Worlds, who has no partner. Thus, have I been commanded, and I am of those who submit. O Allah, You are king, there is no god but You. You are my Lord and I am Your servant. I have wronged myself and I admit my sins. Forgive them all, for no one forgives sins but You. Guide me to the best of manners, for no one guides to the best of them but You, and keep bad manners away from me, for none keeps them away but You. I am ever at Your service, ever following your religion. In Your hands is all good, and evil deeds rise not to You. I turn to You and take refuge in You. You are above all things sacred and exalted. I ask Your forgiveness and turn to You in repentance."<sup>1</sup> [41] Abu Hurayrah رضي الله عنه said: "Whenever Allah's Messenger ﷺ said the opening takbir in prayer, he would pause before reciting Quran. I said: 'O Messenger of Allah, I sacrifice my father and mother for you'<sup>2</sup>, what do you say when you pause between the takbir and the Quran (recital)?" He replied: 'I say: O Allah, set me apart from my sins as You have set the east apart from the west. O Allah, purify me from my sins, as a white robe gets purified from najasa. O Allah, wash my sins away with snow, water, and hail.'<sup>3</sup> [42]

More supplications, other than the opening supplication, have been reported such as: "Allah is ever greatest. Much praise be to Allah. Glory and praise be to Him morning and evening,"<sup>4</sup> [43] or "Much, good, and blessed praise be to Allah,"<sup>1</sup> [44]

<sup>1</sup> Muslim, Vol. 1, The Book of Travel Prayer and Shortening it, Chapter 26/201.

<sup>2</sup> An Arab expression of endearment.

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 27/147.

<sup>4</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 27/150. In a hadith narrated by Ibn Umar رضي الله عنه.



or "Allah is exalted above any limitation or imperfection. Praise be to Allah. There is no god but Allah. Allah is Greatest." [45]

It is recommended to recite all the above mentioned supplications, provided one is praying alone or as imam of a restricted number of followers who have agreed to a long prayer.

7. Saying ta'awuth (I seek refuge in Allah from the accursed Devil). [46] This is recommended to be said silently in every rak'a because there is Quran recital in each. Its evidence is Allah's saying: "When you read the Quran, take refuge in Allah from the accursed Devil."<sup>2</sup> It is said silently even in prayers recited aloud. It is missed when one starts, even if absentmindedly, reciting Quran.

Its conditions are the same as those of the opening supplication, but they differ in two things:

- a. It is recommended to say ta'awuth in every prayer even in a funeral prayer.
- b. It is recommended for a latecoming follower to say it after joining the imam in sitting. If a follower joins the imam in sitting then stands up, after the imam has made salam or has stood up, then it is recommended for him to say it before reciting Quran.

#### When to say ta'awuth:

One says it after finishing the opening supplication in the first rak'a, and before reciting Quran in every rak'a.

Any of a number of supplications seeking protection can satisfy the requirement of ta'awuth. The best is to say: "I take refuge in Allah from the accursed Devil." [46]

8. Pausing. A slight pause is recommended in six places: Between the opening takbir and the opening supplication, between the opening supplication and ta'awuth, between ta'awuth and tasmiya (In the name of Allah, Most Merciful and Compassionate), between the Fatiha and ameen, between ameen and the sura, and between reciting the sura and saying "Allahu akbar" before bowing. These are the six pauses, the length of each being equal to the time it takes to say "subhanallah" (Allah is exalted above any limitation or imperfection) except for the pause between saying ameen and reciting a sura for the imam in prayers recited aloud. In this case, the imam pauses as long as it takes a follower to recite the Fatiha, during which time he occupies himself with saying supplications or invocations to himself, or by reciting a sura- which is best. The imam may start reciting a sura to himself and when his followers finish reciting the Fatiha he can continue it aloud. Al-Hasan narrated from Samura ibn Jundab رضي الله عنه from the Prophet ﷺ: "That he used to pause twice: When he recited the opening supplication and when he finished all Quran recital." In another narration: "And a pause when he finished reciting the Fatiha and

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 27/149. This supplication and that mentioned before and after it, are the words of the companions, not the Prophet ﷺ.

<sup>2</sup> Al-Nahl, 98.

the sura before bowing.” These two narrations are revealed by Abu Dawood<sup>1</sup>. In another narration by him and Al-Tirmithi: “A pause when he said the opening takbir, and a pause when he finished reciting ‘Not of those whom wrath is upon nor those who are lost.’”<sup>2</sup>

9. To pray aloud, for an imam or an individual praying alone, in the ‘aloud’ prayers. As for a follower, it is recommended for him to recite to himself and it is makrooh to recite aloud whether or not he is able to hear the imam’s recital, for he is commanded to listen to it in order not to compete with, nor confuse him. The evidence that reading aloud is makrooh for a follower, is the hadith narrated by Imran ibn Hussayn رضي الله عنه: “That once Allah’s Messenger ﷺ performed Thuhr, and a man behind him was reciting sura Al-A’la<sup>3</sup>. When he finished he asked: ‘Which one of you recited, or which one of you was the one reciting?’ The man said: ‘It was I.’ He then said: ‘I felt as though one of you was competing with me.’”<sup>4</sup> A woman may pray aloud provided no non-mahram can hear her, otherwise she should pray silently.

It is makrooh, or it has been said that it is forbidden, to pray aloud in the presence of one who might be disturbed by that.

In wholly voluntary tahajud prayer, it is recommended to pray aloud, softly, in a voice neither too loud nor too quiet, provided one does not disturb someone sleeping, praying, or studying (Islamic knowledge).

#### When is it recommended to pray aloud:

- a. Praying aloud is recommended in the following obligatory prayers:

1. Fajr. Al-Bukhari narrated, in the chapter of reading aloud in Fajr prayer, that Umm Salama رضي الله عنها said: “I did tawaf with the people while the Prophet ﷺ was praying and reciting sura Al-Tur.”<sup>5</sup>
2. In the first two rak’as of Maghrib and Isha prayers. Jubair ibn Mut’im رضي الله عنه said: “I heard Allah’s Messenger ﷺ reciting sura Al-Tur.”<sup>6</sup> Also, Al-Bara’ رضي الله عنه narrated: “The Prophet ﷺ was on a journey and he recited in one of the first two rak’as of Isha sura Al-Teen.”<sup>7</sup>
3. In the two raka’s of Friday prayer.

As for making up a missed prescribed prayer, one recites silently or aloud according to the time of day one is making it up in, not the time of its would-be performance. Therefore, when making up at night a missed prayer that is normally silent, one prays aloud. When making up in daytime a prayer that is normally prayed aloud, one prays silently.

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 123/777-778.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 123/779.

<sup>3</sup> Quran, 87.

<sup>4</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 12/48.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 23.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 17/731.

<sup>7</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 18/733.

If the first rak'a of Fajr prayer occurs within the proper time for Fajr prayer and the other one takes place after it, one recites aloud in the first and to oneself in the second- except the imam who may recite the supplication of qunut aloud in the second rak'a.

**b. In non-obligatory prayers:**

One recites aloud in the two Eid prayers, the rain prayer, the moon eclipse prayer, tarawih, witr in Ramadan, and the two rak'as of tawaf (if performed at night or at the time of Fajr prayer).

When is it recommended to pray silently:

**a.** In all the prayers other than the above mentioned ones such as Thuhr, Asr, the final rak'a of Maghrib, and both the third and fourth rak'as of Isha. Abu Ma'mar said: "I said to Khabbab ibn Al-Art رضي الله عنه: 'Did the Prophet ﷺ recite (Quran) during Thuhr and Asr prayers?' Khabbab said: 'Yes.' I said: 'How did you come to know that?' He said: 'From the trembling of his beard.'"<sup>1</sup>

**b.** In regular sunna prayers (even ones performed after sunset), solar eclipse prayer, and all non-obligatory prayers performed in the daytime.

If one prays aloud when one should pray silently, or prays silently when one should pray aloud, his prayer is not invalid, and he does not have to prostrate for forgetfulness, though it is makrooh unless there is an excuse.

**10.** To say ameen after reading the Fatiha. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If the imam says ameen, then say likewise, for if the ameen of any one of you coincides with that of the angels then his past sins will be forgiven."<sup>2</sup>

The proper time for saying ameen is after reciting the Fatiha, or any verse that includes a supplication, be it in prayer or not- but it is more favorable in prayer.

Who is recommended to say ameen:

Saying ameen is generally recommended for one reciting or listening, and in prayer for one praying alone, as imam, or as follower. One should say it when the imam does, not before nor after. The Prophet ﷺ said in a hadith narrated by Abu Hurayrah رضي الله عنه: "...If the ameen of anyone of you coincides with that of the angels then his past sins will be forgiven." The saying of ameen by the imam, the follower, and the angels should be simultaneous<sup>3</sup>. Therefore, if the imam delays it beyond its recommended time or omits it, the follower may say ameen aloud so that the imam will hear him and say it.

If the imam and the follower finish reciting the Fatiha together, then it is sufficient for the latter to say ameen once when the imam does, not sooner or later (as mentioned before). If the follower finishes before the imam, he should say ameen for his own recital then say it again when the imam does. If the opposite occurs, the

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 15/727.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 29/747.

<sup>3</sup> The only time a follower is recommended to do something simultaneously with the imam is when he says 'ameen,' that is because 'ameen' follows the imam's conclusion of the Fatiha and does not follow his saying of 'ameen.'

follower may interrupt his recital (of the Fatiha) and say ameen for the imam's recital then say ameen for his own recital when he finishes.

One says ameen silently in silent prayers and aloud in aloud prayers. If a person praying omits saying ameen and starts the next act (reciting a sura), then the proper time for saying ameen is missed and one may not return to it.

- 11. Reciting Quranic verses after the Fatiha in Fajr prayer and in the first and second rak'as of all prayers.** Abu Qatada رضي الله عنه narrated: "For Thuhr, the Prophet ﷺ used to recite the Fatiha followed by a sura in the first two rak'as, and only the Fatiha in the last two rak'as and we would hear the ayahs he read. His first rak'a would be longer than the second and the same is true for Asr and Fajr prayers."<sup>1</sup>

In non-obligatory prayers, one recites a sura in every rak'a if one performs the prayer with only one testification. Otherwise, one need not recite it in rak'as that take place after the first testification just as one need not do so in the third and fourth rak'as of prescribed prayers.

When following an imam, one recites nothing after the Fatiha in prayers that are recited aloud. It is recommended for the follower to recite a sura in silent prayers or those recited aloud if he cannot hear the imam's recital or can hear it but cannot comprehend it.

If one misses reciting a sura in the first two rak'as of one's prayer, he may do so in the following rak'a(s). If a latecomer to a congregational prayer that is composed of four rak'as misses the first two rak'as with the congregation, he may recite a sura in the third and fourth rak'as (according to the order of the imam's prayer) because these are the first two rak'as of his prayer. If he cannot do so he may recite it in the third and fourth rak'as of his prayer so that one's prayer will not be devoid of reciting a sura with no excuse.

If the person praying recites the Fatiha after a sura, then his recital of the Fatiha is valid whereas his recital of the sura does not count because it did not take place at its proper time.

One's prayer is valid if one recites the Fatiha twice, though the second Fatiha does not compensate for the sura. This is because reciting the Fatiha is an obligation of the prayer and the obligation cannot simultaneously fulfill a sunna.

When reciting, it is recommended:

- a.** To recite Quran in a distinct, pleasant way (*tartil*<sup>2</sup>) and to reflect upon its meanings (*tadabbur*). Allah ﷻ says: "And recite the Quran in slow, measured rhythmic tones."<sup>3</sup> Also, he ﷺ says: "(Here is) a Book which We have sent down unto you, full of blessing, that they may contemplate its verses."<sup>4</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 25/743.

<sup>2</sup> To observe the rules of Quranic recitation and pay attention when pronouncing the letters and joining the words.

<sup>3</sup> Al-Muzzamil, 4.

<sup>4</sup> Sad, 29.

- b. To recite a complete sura. Reciting a complete short sura is better than an incomplete long one, because one may stop at a point that is neither a recommended nor obligatory place to stop.
- c. To recite a longer sura in the first rak'a than in the second, for the above mentioned hadith of Abu Qatada رضي الله عنه. This is true unless there is a text (hadith) allowing otherwise, such as when praying in a mosque crowded with attendants. In such a case, it is recommended for the imam to recite a longer sura in the second rak'a than in the first so that a follower who cannot find enough space to prostrate (because of the crowds) may wait till the imam lifts his head from the prostration and enough space becomes available for him to prostrate and so follow the imam.
- d. Not to recite the same sura in both rak'as, unless one knows no other sura by heart.
- e. To recite the suras in the proper order and sequence of Quran. Therefore if one recites sura Al-Nass (Quran, last sura, 114) in the first rak'a then it is best to start with sura Al-Baqara (Quran, first sura after the Fatiha, 2) in the second.
- f. To recite a sura from those in between sura Al-Duha (Quran, 93) and the end, for Maghrib prayer, and in Fajr and Thuhr, a sura from those in between sura Al-Hujurat (Quran, 49) and Al-Naba' (Quran, 78). This is true for one praying alone or as imam of a restricted number of followers<sup>1</sup>, who do not mind the length of these suras, and will not be neglecting their responsibilities as a result of the prayer. If one of these conditions is not satisfied, it is recommended to recite a sura from Al-Duha onwards in all prayers and it is makrooh to do otherwise. In Asr and Isha prayers, it is recommended to recite a sura from those in between sura Al-Naba' and Al-Duha. Sulayman ibn Yasar narrated: "That Abu Hurayrah رضي الله عنه said: 'I have never prayed behind anyone whose prayer is more similar to that of the Messenger of Allah than so and so.' Sulayman said: 'He used to lengthen the first two rak'as of Thuhr prayer and shorten the last two, and he used to shorten Asr prayer, and in Maghrib prayer he would recite some suras from those between Al-Duha and the end of Quran, and in Isha prayer he would recite from those between Al-Naba' and Al-Duha, and in Fajr prayer he would recite from those between Al-Hujurat and Al-Naba'."<sup>2</sup> In Fajr prayer on Friday, it is recommended to recite sura Al-Sajda (Quran, 32) and Al-Insan (Quran, 76), for Abu Hurayrah رضي الله عنه said: "The Prophet ﷺ used to recite in Fajr prayer on Friday Al-Sajda and Al-Insan."<sup>3</sup> The reasoning behind this sunna is:

1. The time of Fajr prayer is long and the prayer itself is short, hence lengthening is appropriate.

<sup>1</sup> i.e. Those who do not expect anyone to join them.

<sup>2</sup> Al-Nasa'i, Vol. 2, page 167.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Friday, Chapter 9/851.

2. The time of Thuhr prayer and the prayer itself are long, hence it is appropriate to recite something similar in length to those suras between Al-Hujurat and Al-Naba'.
3. The times of Asr and Isha prayers are long and their obligations are many, and their times are not times of energy, hence, it is appropriate to recite something of moderate length.
4. The time for Maghrib prayer is short hence it is appropriate to recite something short in it.

The above is true for a resident. As for a traveller, he may recite sura Al-Kafirun (Quran, 109) and Al-Ikhlâs (Quran, 112) in all his prayers for ease.

Finally, it is makrooh to omit reciting a sura altogether.

**g.** To ask Allah's mercy when reciting a verse mentioning mercy, seek Allah's protection when reciting a verse mentioning torment, to glorify Allah when reciting a verse containing glorification, to ask Allah's forgiveness when reciting a verse asking for forgiveness, and to reply any question in interrogative ayahs<sup>1</sup>. This applies both to the imam and the follower and they should do so aloud in aloud prayers.

12. To say "Allahu akbar" during one's movement from one position in prayer to another. And, to prolong the words (by prolonging the "ا" in the word "Allahu") until one reaches the next position so that one's prayer is not devoid of invocation at any point. Opposite to this is the opening takbir which must be said quickly so that the intention does not leave one's mind.

The imam and the *muballigh* (one who loudly repeats the imam's words whenever the imam moves from one position to another so that the followers are all notified of the imam's movements) must always say "Allahu Akbar" aloud. Abu Hurayrah رضي الله عنه said: "Whenever Allah's Messenger ﷺ stood for prayer, he would say 'Allahu akbar' when standing and then when bowing. When raising his back from bowing, he used to say: 'Allah hears whoever praises Him,' and then when straightening 'O Allah, all praise is Yours.' And he would say 'Allahu akbar' when moving to bow, raising his head (from bowing), prostrating, and when raising his head (from prostration). This he would do throughout the whole prayer until he finished. When rising from sitting (for the testification of faith) after performing two rak'as, he would also say 'Allahu akbar.'"<sup>2</sup>

When saying "Allahu akbar," one's intention must be the invocation of Allah or a combination of the invocation of Allah and informing the followers. If one's intention is to inform the followers only, his prayer becomes invalid. People praying alone and followers (apart from the *muballigh*) should say "Allahu akbar" to themselves, and it is makrooh for them to say it aloud. A woman leading women in prayer should say "Allahu akbar" aloud provided no non-mahram men can hear her.

<sup>1</sup> Such as when reciting: "Isn't your Lord able to resurrect the dead?" One answers: "Indeed He is and I am a witness to that."

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 35/756.

13. In bowing, it is sunna to extend the back and neck without lowering one's head or raising it. Abu Mas'oud Al-Badri رضي الله عنه narrated that Allah's Messenger ﷺ said: "One's prayer is not valid unless one straightens one's back when bowing and prostrating."<sup>1</sup> Also, Aisha رضي الله عنها narrated in the hadith of the description of the Prophet's ﷺ prayer that: "...And in bowing he would neither raise nor drop his head but rather hold it level."<sup>2</sup> Also, it is sunna to straighten the legs and thighs and put one's hands on one's knees with fingers apart, towards the qibla. Salem Al-Barad said: "We came to Uqba ibn Umar and Abu Mas'oud, and said: 'Tell us about the prayer of Allah's Messenger ﷺ.' He stood in front of us in the mosque and did takbir. When he bowed, he said 'Allahu akbar,' held his knees with his hands, separated his fingers and directed them toward the qibla, with his elbows out. Then he said: 'This is what we saw Allah's Messenger ﷺ do.'"<sup>3</sup> One whose hand is amputated puts the sound hand on his knee and leaves the other be. One whose both hands are amputated, or short, leaves them be. According to the above mentioned hadith, a man thrusts his elbows out while a woman keeps them close to her body because it is more modest. Also, a man keeps the feet (and knees) one span of the hand away from each other.

In bowing, one says "My Lord Most Great is exalted above all limitation, and praise be to Him." [47] The sunna is achieved by saying it once, but it is better to say it three times which is the minimum of perfection. Ibn Mas'oud رضي الله عنه narrated that the Prophet ﷺ said: "If one of you bows and says in his bowing 'My Lord Most Great is exalted above all limitations' three times then his bow is complete and this is its minimum, and if one of you prostrates and says in his prostration 'My Lord Most High is exalted above all limitations' three times then his prostration is complete, and this is its minimum."<sup>4</sup> Saying it more than three times is better for one praying alone, or the imam of a restricted number of followers who do not mind the extra length, provided one says it an odd number of times and not more than eleven. It is also recommended to add to this supplication "And praise be to him," so that one says: "My Lord Most Great is exalted above all limitation, and praise be to Him." It is better to say after this, regardless of how many times it is said: "O Allah, to You I bow, in You I believe, to You I submit. My hearing, sight, mind, bones, nerves, and all that my feet bear up are humbled before You,"<sup>5</sup> [48] and this is the optimal way. If one wants to restrict himself to either one of these supplications then the former, "My Lord Most Great is exalted above all limitations," is better. It is makrooh to recite Quran while bowing, or in any other pillar of prayer except

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 148/855.

<sup>2</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 46/240.

<sup>3</sup> Al-Mustadrak, Vol. 1, page 224.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 194/261.

<sup>5</sup> Muslim, Vol. 1, The Book of the Travel Prayer and Shortening it, Chapter 26/201. Taken from the previously mentioned hadith, narrated by Ali رضي الله عنه, of the opening supplication.

standing. Ali عليه السلام said: "The Messenger of Allah ﷺ has forbidden me from reciting Quran while bowing or prostrating."<sup>1</sup>

14. It is sunna to lift the hands when one lifts one's head and starts straightening up from bowing and to say: "Allah hears whoever praises Him," [49] for the above mentioned hadith of Abu Hurayrah. One praying alone, an imam, or a follower should say it. The imam and his backup man (muballigh) say it aloud and say "Our Lord, all praise is Yours" to themselves, while one praying alone and a follower say both to themselves.

When returning to standing, one says what Ibn Abbas رضي الله عنه narrated: "That whenever the Prophet ﷺ raised his head from bowing he would say: 'Our Lord, all praise is Yours, enough praise to fill Heaven, the Earth and in between, and whatever else You will.'"<sup>2</sup> [50] One praying alone, and the imam of a limited number of followers who do not mind the extra length, may add what has been narrated in the hadith of Abu Sa'id Al-Khadari رضي الله عنه: "O You who deserve praise and glory, the truest thing a servant can say, and all of us are Your servants, our Lord none can withhold what You bestow, none can bestow what You withhold, and the fortune of the fortunate avails nothing against You."<sup>3</sup> [51]

15. When prostrating, it is sunna:

- a. To place the knees down first, then the hands, and then the forehead and nose on the ground. Wa'il ibn Hijr رضي الله عنه narrated: "I saw that whenever the Prophet ﷺ prostrated he placed his knees before his hands, and whenever he stood he lifted his hands before his knees."<sup>4</sup> Al-Khattabi added: "This (placing the knees before placing the hands) is easier on one praying and better in appearance."<sup>5</sup>
- b. For men to keep their elbows away from their sides and keep them raised above the ground while leaning on their palms. Abdullah ibn Malik ibn Buhaina رضي الله عنه narrated: "That whenever the Prophet ﷺ used to pray he would distance his arms so that the whiteness of his armpits was visible."<sup>6</sup> Also, Anas ibn Malek رضي الله عنه narrated that the Prophet ﷺ said: "Perfect your prostration and do **not** put your forearms on the ground like a dog."<sup>7</sup>
- c. To put one's weight on one's hands and keep the stomach apart from the thighs, for the hadith of Abu Humaid رضي الله عنه about the description of the Prophet's ﷺ prayer, in which he narrated: "And when he prostrated he kept his thighs away not carrying his stomach on any part of them."<sup>8</sup>

<sup>1</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 41/210.

<sup>2</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 40/206.

<sup>3</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 40/205.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 199/268.

<sup>5</sup> Al-Majmu', Vol. 3, page 394.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 46/774.

<sup>7</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 57/788.

<sup>8</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 117/735.



- d. To keep a hand's span between both knees and both feet. A woman keeps them together, for this is more appropriate for her, and she puts her weight, like men do, on her hands and keeps her elbows raised above the ground.
  - e. To bring the fingers together and extend them towards the qibla, for the hadith of Wa'il ibn Hijr رضي الله عنه about the description of the Prophet's ﷺ prayer, in which he narrated: "And when he prostrated he brought his fingers together."<sup>1</sup> Also, Al-Bara' ibn Aazeb رضي الله عنه narrated: "Whenever the Prophet ﷺ prostrated and placed his hands on the ground he would extend his hand and fingers towards the qibla."<sup>2</sup>
  - f. To prostrate with the hands directly under one's shoulders and with one's head in between them, for the hadith of Abu Humaid رضي الله عنه about the description of the Prophet's ﷺ prayer, in which he narrated: "He prostrated... and placed his hands directly under his shoulders."<sup>3</sup>
  - g. To prostrate with the feet resting on the underside of the toes, keeping the heels up and the toes pointing towards the qibla, for the hadith of Abu Humaid Al-Sa'idi رضي الله عنه in a narration of Al-Bukhari, in which he said: "When he prostrated... with the tips of his toes towards the qibla."<sup>4</sup> It is sunna, for men, to uncover their feet and let them show from under their garments.
  - h. To say: "My Lord Most High is exalted above all limitation." [52] It is preferred to say that three times. One praying alone, and the imam of a limited number of followers who do not mind a lengthy prayer, may add: "O Allah, I prostrate myself to You, believe in You, and surrender to You. My face prostrates to He who created it and gave it form, who split open its hearing and vision by His power and strength. Allah is exalted in perfection, the Best of Creators."<sup>5</sup> [53] Aisha رضي الله عنها narrated that Allah's Messenger ﷺ used to say in his prostration and bowing: "The Most exalted above any limitation or imperfection, The Holy one. Lord of the angels and Gabriel."<sup>6</sup> [54]
  - i. For one praying alone, to put effort into his du'a while in prostration in hope that it will be answered. Abu Hurayrah رضي الله عنه narrated that Allah's Messenger ﷺ said: "A servant is closest to his Lord when in prostration, therefore supplicate profusely (while you are in this position)."<sup>7</sup>
16. When sitting between prostrations, it is sunna:
- a. To sit in *iftirash*, which is to place the top of the left foot against the ground and sit upon its heel while keeping the right foot upright on the underside of

<sup>1</sup> Al-Bayhaqi, Vol. 2, page 112.

<sup>2</sup> Al-Bayhaqi, Vol. 2, page 113.

<sup>3</sup> Al-Bayhaqi, Vol. 2, page 112.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 61/794.

<sup>5</sup> This is the completion of the above mentioned hadith of Ali رضي الله عنه. Muslim Vol. 1, The Book of Travel Prayer, Chapter 26/201.

<sup>6</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 42/223.

<sup>7</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 42/215.

its toes with the heel up and the toes towards the qibla. It is sunna to sit in the iftirash style whenever one sits in prayer<sup>1</sup> such as:

1. When one who prays seated recites Quran, when one sits to rest in between the two prostrations, and when one says the first testification of faith.
2. When a latecomer joins the prayer while the imam is sitting in *tawarruk* (in the final testification).
3. When one must perform a prostration of forgetfulness<sup>2</sup>.

The evidence for sitting in iftirash is the hadith of Abu Humaid Al-Sa'idi رضي الله عنه of the description of the Prophet's ﷺ prayer: "When he sat after performing two rak'as, he sat upon his left foot and propped up the right one."<sup>3</sup>

- b. To place one's two hands on the thighs near the knees with fingers held together and extended towards the qibla, and to say what Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ used to say when sitting between prostrations: "O Allah, forgive me, have mercy on me, set me right, guide me, and sustain me."<sup>4</sup> [55]

17. It is sunna, after the second prostration in each rak'a that is followed by standing<sup>5</sup>, to briefly sit to rest. If the imam omits it and the follower performs it anyway it is not considered a contravention of the imam's leadership because it is a brief sitting. This brief sitting is not recommended after a Quran recital prostration in prayer. The evidence of it is the hadith of Abu Hurayrah رضي الله عنه that, in the hadith of the person who prayed improperly, Allah's Messenger ﷺ said: "Then bow until you are bowing motionlessly, then rise from bowing till you stand straight, then prostrate until you are prostrating motionlessly, and then raise your head until you sit."<sup>6</sup> One need not say "Allahu akbar" for this brief sitting to rest, rather one raises the head from the second prostration saying "Allahu akbar," draws out the words until one is standing upright, and sits briefly, so that one's prayer is not devoid of invocation at any point.
18. To rise helping oneself up with both hands by placing the palms and the inside of the fingers on the ground. Ayub Al-Sakhtiani narrated that Abu Qilaba said: "Malek ibn Huwayrith came to us and led us in the prayer in this mosque of ours and said: 'I lead you in prayer not wanting to pray but just to show you how the Prophet ﷺ performed his prayers.' I asked Abu Qilaba: 'How was the prayer of Malek ibn Huwayrith?' He said: 'Like the prayer of the Sheikh of ours- meaning Amr ibn Salama.' Verily that Sheikh used to say 'Allahu akbar' properly and when he raised

<sup>1</sup> Except when sitting for the final testification of faith in which the '*tawarruk*' style is recommended.

<sup>2</sup> In this case, one sits in iftirash for his last testification of faith, prostrates for forgetfulness, and then sits in *tawarruk* for his salam.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 61/794.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 211/284.

<sup>5</sup> i.e. That is not followed by the testification of faith.

<sup>6</sup> Al-Bukhari, The Book of Asking Permission, Chapter 18/5897.

his head from the second prostration he would sit supporting himself on the ground and then stand up.”<sup>1</sup> This is easier for the one praying and less likely to cause him to fall down.

**19. In the final testification of faith, it is sunna:**

- a. To sit in the *tawarruk* style of sitting, which is to sit (like in *iftirash*) with one’s left foot emerging from under the right which is held up on the underside of its toes, and one’s left side on the ground. One who must perform a forgetfulness prostration sits in *iftirash*. The reason for sitting in the *tawarruk* style is to distinguish between the two testifications of faith so that a latecomer to a congregational prayer may by observing how people are sitting know that the imam is in the final testification. The evidence of it is that Abu Humaid Al-Sa’idi رضي الله عنه narrated: “...When he sat after the last rak’a he pushed his left foot forward, propped the other one up, and sat on his posterior.”<sup>2</sup>
- b. To put one’s hands on one’s thighs, in the two testifications of faith. The fingers of the left hand are spread and extended towards the qibla with their tips near the knee. The right hand is placed (on the right thigh) near the knee, held closed except the index finger, which is left extended towards the qibla with the thumb under it. One lifts the index finger when one says the words “except Allah” and does not move it while it is thus raised.

The optimal way of the testification of faith is to say what has been narrated in the hadith of Ibn Abbas رضي الله عنه, he said: “Allah’s Messenger ﷺ taught us the testification of faith as he would teach us a sura from the Quran. He would say: ‘Greetings, blessings, and the best of prayers to Allah. Peace be upon you O Prophet, and the mercy of Allah and His blessings. Peace be upon us and upon Allah’s righteous servants. I testify that there is no god except Allah, and that Muhammad is the Messenger of Allah.’”<sup>3</sup> [56] The optimal way to say the blessings on the Prophet ﷺ is to combine what has been narrated in the many authentic hadith and say: “O Allah, bless Muhammad, the illiterate Prophet, Your servant and Messenger, and the family, wives, and offspring of Muhammad as You blessed Ibrahim and the family of Ibrahim. O Allah, show grace to Muhammad, the illiterate Prophet, and the family, wives, and offspring of Muhammad as You showed grace to Ibrahim and the family of Ibrahim. In the worlds, You are truly the Most Praiseworthy and Noble.”<sup>4</sup> [57] It is permissible to add before each mention of the Prophet’s name the word *sayyidina* (our master) and to ask Allah for whatever one wishes.

The following are dua’s, narrated in authentic hadith, that one may say between the testification of faith and salam:

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Description of Prayer, Chapter 59/ 790.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Description of Prayer, Chapter 61/794.

<sup>3</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 59/790.

<sup>4</sup> This has been explained earlier in the chapter of the pillars of prayer.

- Umm Salama رضي الله عنها narrated: "The Prophet ﷺ most often used to supplicate: 'O You who changes hearts, make my heart firm in Your faith.'"<sup>1</sup> [58]
- Abu Bakr, the most truthful, narrated: "I asked Allah's Messenger ﷺ to teach me some supplications which I might recite in my prayer. He told me to say: 'O Allah, I have wronged myself greatly, and no one forgives sins save You, so grant me forgiveness Yourself, and have mercy on me, indeed You are the Most Forgiving, the Ever Merciful.'"<sup>2</sup> [59]
- The best du'a is what Aisha رضي الله عنها narrated: "That Allah's Messenger ﷺ used to make du'a to Allah in prayer saying: 'O Allah, I seek Your protection from the torture of the grave, the trial of the anti Christ, and the trial of life and death. O Allah, I seek Your protection from sins and debt.'"<sup>3</sup> [60]
- Ali ibn Abu Talib رضي الله عنه narrated: "O Allah, forgive me what I have done and what I may do, what I have hidden and what I have made known, my excesses and what You know better than I. You alone bring forth and hold back. There is no god but You."<sup>4</sup> [61]

It is makrooh to recite the testification of faith, the blessing on the Prophet ﷺ, the supplications, and tasbih aloud.

- 20.** When making salam it is sunna to say: "And the mercy of Allah" [62] after saying "Peace be upon you," and to do a second salam. In each salam, one starts saying "Peace be upon you" from the direction of the qibla and stops when one finishes turning his head to the right enough to show the right cheek (to those behind) in the first salam and to the left in the second, and must briefly pause between both salams. One intends greetings of peace to those he turns his head to (angels, and believers of humans and jinn). Also, one intends to answer back those who greeted him with salam, i.e. the imam and other followers.

It is recommended that one does not extend the words of salam, for Abu Hurayrah رضي الله عنه narrated: "It is sunna not to extend the (words of) salam."<sup>5</sup>

- 21.** It is sunna to pray with khushou', which is the presence of mind and the calmness of the body, and to reflect upon the meanings of the Quran verses and invocations. Allah ﷻ says: "The Believers must (eventually) win through those who humble themselves in their prayers."<sup>6</sup> Uqba ibn Amer رضي الله عنه narrated that he heard Allah's Messenger ﷺ saying: "Any Muslim who performs his wudu properly then stands and prays two rak'as, sincerely and with all his heart, shall enter paradise."<sup>7</sup> It is recommended to ask Allah's forgiveness and invoke Allah after the prayer, for Thowban رضي الله عنها, the servant of Allah's Messenger ﷺ, narrated: "Allah's Messenger ﷺ used to ask Allah's forgiveness, after the prayer, three times and say: 'O Allah,

<sup>1</sup> Al-Tirmithi, Vol. 5, The Book of Supplications, Chapter 90/3522.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 65/799.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 65/798.

<sup>4</sup> Muslim, The Book of the Travel Prayer and the Shortening of it, Chapter 26/201.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 192/1004.

<sup>6</sup> Al-Mu'minun, 2.

<sup>7</sup> Muslim, Vol. 1, The Book of Purification, Chapter 6/17.

You are Peace, from You is peace, You are exalted through Yourself above all else, O You of Majesty and Beneficence.”<sup>1</sup> [63] One does so silently, whereas an imam who wants to teach the attendants, says the invocations aloud and turns towards them with his left side to the mihrab.

It is recommended to raise one's hands when supplicating then to wipe one's face with them.

The following are reported supplications:

- Al-Mughira ibn Shu'ba رضي الله عنه narrated that the Prophet ﷺ used to say after each prescribed prayer: “There is no god but Allah, alone, without partner. His is the dominion, His the praise, and He has power over all things. O Allah, none can withhold what You bestow, and none can bestow what You withhold. The fortune of the fortunate avails nothing against You.”<sup>2</sup> [64]
- “O Allah, I ask You that which causes Your mercy, Your forgiveness and safety from every sin and the gain of every virtue.”<sup>3</sup> [65]
- “O Allah, assist me to invoke You, be grateful to You, and perform Your worship in an excellent manner.”<sup>4</sup> [66]
- Sa'd رضي الله عنه narrated that Allah's Messenger ﷺ used to seek protection of Allah (against the following things), after his prayer through these phrases: “O Allah, I seek Your protection from cowardice, miserliness, and from being ruled to the worst of old age. I seek Your protection from the trials of this life and the trails of the grave.”<sup>5</sup> [67]
- Abu Hurayrah رضي الله عنه said: “We asked Abu Sa'id whether he learned from Allah's Messenger ﷺ a supplication he would say after salam. He answered: ‘Yes I did, he used to say: ‘Your Lord, Lord of Honor and Power, is exalted above any limitation and above what they ascribe (to Him). Peace be upon the apostles and all praise be to Allah, Lord of the Worlds.’”<sup>6</sup> [68]

It is recommended to begin one's supplication with saying “Praise be to Allah” and invoke the blessings on the Prophet ﷺ at the beginning and end of it. Al-Tirmithi narrated that Umar ibn Al-Khattab رضي الله عنه said: “Supplications are held back between Heaven and Earth, none of which rises until you invoke the blessings on your Prophet ﷺ.”<sup>7</sup>

It is recommended for one praying individually or as a follower to invoke Allah at length after prayer, and to make du'a profusely after the prescribed prayers in hope it gets answered.

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 26/135.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 71/808.

<sup>3</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 348/479.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 361/1522.

<sup>5</sup> Al-Bukhari, The Book of Jihad, Chapter 25/2667.

<sup>6</sup> Al-Tabarani, Majma' Al-Zawa'id, Vol. 2, page 147.

<sup>7</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 352/486.

It is recommended, for the imam, to leave as soon as he makes salam. This is true if there are no women among the followers. Umm Salama, the Prophet's ﷺ wife, said: "When the Prophet ﷺ would end the prayer with salam, the women would depart and enter their houses before Allah's Messenger ﷺ departed."<sup>1</sup> As for Fajr and Asr prayers, it is preferred to stay after the prayer till sunrise (or sunset), for Anas ﷺ narrated: "Allah's Messenger ﷺ said: 'One who performs Fajr prayer in congregation, then sits to invoke Allah till the sun rises, then prays two rak'as, will be granted the reward of a hajj and umra.' He said: Allah's Messenger ﷺ said: 'A complete one (hajj and umra), a complete one, a complete one.'"<sup>2</sup>

A follower remains seated until the imam stands up, then the follower may leave in the direction of his business, or towards the right.

It is recommended to separate between the obligation and sunna (prayers) with du'a or changing one's place, which is better.

It is sunna to pray in front of a barrier, such as a wall, column, or stick. Sahl ibn Abu Hathma ﷺ narrated that the Prophet ﷺ said: "If one of you prays in front of a barrier let him get close to it so that Shaytan will not interrupt his prayer."<sup>3</sup> It is recommended that the barrier be at least two thirds of an arm's length<sup>4</sup> (32 cm.) high. There is no limit on the barrier's width, indeed a narrow or wide barrier is sufficient. Abu Hurayrah ﷺ narrated that the Prophet ﷺ said: "It is sufficient to put a barrier like the end part of the saddle even if as narrow as a hair."<sup>5</sup> The end part of the saddle equals the length of one's forearm which is two thirds of an arm's length. Also, it is recommended that the distance between one praying and the barrier (whether a wall or stick) be three arms at most, because when the Prophet ﷺ entered the Ka'ba, he stood three arms away from its wall and prayed<sup>6</sup>. If one cannot do so, one spreads a pure mat to pray on, or draws a line about three arm length forward. Abu Hurayrah ﷺ narrated that the Prophet ﷺ said: "When one of you is praying then let him put something in front of him, and if he finds nothing, then let him put a stick upright, and if doesn't have one, let him draw a line, in which case nothing that may pass in front of him will matter."<sup>7</sup> It is permissible to use one's riding animal as a barrier, for Ibn Umar ﷺ narrated: "That the Prophet ﷺ used to place his riding animal between him and the qibla when performing the prayer."<sup>8</sup>

It is forbidden to pass between a person praying and his barrier, even if the barrier is just a line. It is recommended for one praying to gently push back anyone who tries to pass between him and his barrier. Abu Sa'id ﷺ said: "I heard the Prophet ﷺ saying:

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 73/812.

<sup>2</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 412/586.

<sup>3</sup> Al-Nasa'i, Vol. 2, page 62.

<sup>4</sup> Meaning *Al-Hashimi arm*, which is the distance between the elbow and the tips of the fingers when extended.

<sup>5</sup> Al-Mustadrak, Vol. 1, page 252. The end part of the saddle is a piece of wood that supports the rider.

<sup>6</sup> See, Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 51/15522.

<sup>7</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 103/689.

<sup>8</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 47/247.

'If one of you is praying behind something as a barrier and someone tries to pass in front of him, then let him push him back and if he refuses, let him fight him because he is but a Shaytan.'"<sup>1</sup> Abu Juhaim Al-Ansari رضي الله عنه said: "Allah's Messenger ﷺ said: 'If one who would pass in front of a praying person only realised the gravity (of the sin), (he would have realised that) to wait for forty is better than to pass in front of him.'"<sup>2</sup> One's prayer is still valid whoever or whatever passes in front of him<sup>3</sup>.

In a congregational prayer, it is permissible to pass in front of people praying in order to fill a gap in the row ahead<sup>4</sup>. Also, it is permissible to pass beyond the stick (barrier), for the above mentioned hadith of Abu Hurayrah رضي الله عنه, who said: "In which case no person or thing that passes in front of him will matter." If one is praying outdoors (such as in the street) without placing a barrier, then it is permissible to pass in front of him.

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Barrier of One Praying, Chapter 10/487.

<sup>2</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 48/261.

<sup>3</sup> The related hadith indicating that if a woman, animal, or dog passes in front of the person praying interrupts his prayer are even weak hadith (whereas hadith indicating the contrary are authentic) or interpreted that this interrupts one's attention and piety not one's prayer.

<sup>4</sup> In a congregational prayer, each row of people praying is a barrier for that behind it. Therefore it is not permissible to pass between two rows except in the above mentioned case.

# WHAT IS MAKROOH IN PRAYER

1. To leave any of the recommended acts of prayer.
2. To needlessly turn one's face during the prayer. A mere glance is acceptable. Aisha رضي الله عنها said: "I asked Allah's Messenger ﷺ about turning one's face during the prayer. He said: 'It is a way of stealing by which Shaytan steals away (a portion) from the prayer of a servant.'"<sup>1</sup> It is not makrooh to turn one's face when there is an excuse. Sahl ibn Al-Hanthaliah رضي الله عنه said: "Fajr prayer was called for, and the Prophet ﷺ kept on turning towards the mountain's cleft while praying." Abu Dawood said: "(Because) he ﷺ had sent a rider to the mountain's cleft at night to guard (them)."<sup>2</sup>
3. To look up at the sky, even when reciting the supplication of qunut. Anas ibn Malek رضي الله عنه said: "What is wrong with people who look up at the sky during the prayer. His talk grew stern while delivering this speech and he said: They should stop doing so, before their eyesight is taken away."<sup>3</sup>
4. It is makrooh for a man to pray with his hair tied at the back of his head. Rafi' said: "The Messenger of Allah ﷺ forbid men to pray with their hair tied."<sup>4</sup> Also, it is makrooh to pray with one's clothes lifted, from the front or the back. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "I have been ordered to prostrate on seven bones and not to tuck up clothes or hair."<sup>5</sup> This restriction applies to men only. The reason for this is so the hair prostrates with one when he prostrates and this is more humble. As for a woman, her hair is part of her awra and if she lets it loose, it may become disorderly and difficult to cover thus nullifying her prayer beside the trouble she has to go to if she is to loosen her hair before each prayer.
5. To yawn, which is makrooh in prayer as well as out of prayer. Hence, one should fight it off as much as one can. If it overcomes one, it is recommended to cover one's mouth with one's hand whether or not one is in prayer. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Yawning is from Shaytan, hence if one off you yawns, let him suppress it as much as he can."<sup>6</sup>
6. To level the gravel and soil in the place of one's prostration except for an excuse. Mu'ayyib رضي الله عنه narrated that the Messenger of Allah ﷺ said about the man who levels the earth where he prostrates: "If you are going to (do) this then do it once only."<sup>7</sup> Furthermore, this action does not fit with humility and piety. Also, it is

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 11/718.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 168/916.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 10/717.

<sup>4</sup> Ibn Maja, Vol. 1, The Book of Establishing the Prayer and the Sunna, Chapter 67/1042.

<sup>5</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 44/228.

<sup>6</sup> Muslim, Vol. 4, The Book of Renunciation of Worldly Pleasure and *Al-Raqa'iq* (hadith that make one's heart tender by affecting one's emotions and feelings when hearing them), Chapter 9/56.

<sup>7</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 12/49.



makrooh to wipe the forehead, during the prayer, of what sticks to it such as dust and the like because this also does not fit with humility and piety.

7. To stand on one foot only for no excuse, or to stand with one foot in front of the other, or with the two feet stuck together.
8. To pray when one needs to go to the bathroom or when feeling the need to pass wind. In fact, this may even be forbidden if holding back from urinating or defecating becomes harmful. Aisha رضي الله عنها said: "I heard the Messenger of Allah ﷺ saying: 'No prayer (should be performed) in the presence of food nor when one is holding back urinating or defecating.'"<sup>1</sup> One should relieve oneself then pray, even if it means missing praying with a congregation unless one fears missing praying on time in which case one may pray while holding back urinating or defecating in reverence of doing the prayer on time.
9. If enough time remains to perform the prayer, it is makrooh to pray when food, that one would like to have, is ready or almost ready. That is because it diminishes one's awe and humility in prayer for the above mentioned hadith narrated by Aisha رضي الله عنها. The Prophet ﷺ ordered that supper be served before Isha. Anas ibn Malek رضي الله عنه narrated that the Prophet ﷺ said: "If supper is served and the athan is raised then start with supper."<sup>2</sup>
10. To put one's, left or right, hand on one's hips. Abu Hurayrah رضي الله عنه said: "Putting the hands on the hips is forbidden."<sup>3</sup> Also, this act indicates arrogance and lack of manners and mimics the actions of the Jews.
11. To drop one's head when bowing.
12. To lean on something that will fall if one falls (such as a stick), except for an excuse.
13. To make the resting sitting longer than the sitting between the two prostrations.
14. To lengthen the duration of the prayer's first testification of faith and to supplicate therein.
15. To perform the prayer actions simultaneously with the imam. Al-Bara' رضي الله عنه said: "When we were (praying) with the Prophet ﷺ, not one of us would bend his back until we saw ﷺ him prostrate."<sup>4</sup>
16. To pray next to a najis place even if one does not touch the najasa, such as praying in a rubbish dump, slaughter house, or a grave yard (even if it is not excavated). Ibn Umar رضي الله عنه narrated: "That the Messenger of Allah ﷺ forbid prayer in seven places: The rubbish dump, the slaughterhouse, the graveyard, the middle of a road, the bathhouse, the stable, and on top of the Ka'ba."<sup>5</sup> Praying in an excavated graveyard is not valid at all because its soil is najis, unless one spreads a pure cloth on it to pray on, though it is still makrooh.

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 16/67.

<sup>2</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 16/64.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Actions in Prayer, Chapter 17/1161.

<sup>4</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 39/200.

<sup>5</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 258/346.

17. To pray in a church, synagogue, bathhouse, or on top of the Ka'ba for the above mentioned hadith narrated by Ibn Umar رضي الله عنه.
18. To pray under any circumstances which may disturb the person praying, such as praying in a road through which people are passing, in a place where camels bed down, at the bottom of a valley when a flood is eminent, toward an engraved wall, or in clothes imprinted with pictures or designs that may distract one's attention. Aisha رضي الله عنها narrated: "That the Prophet ﷺ prayed in a garment which had designs on it, and he said: 'The print of this garment has distracted me, take it to Abu Jahm and bring me a plain thick dress.'" <sup>1</sup>
19. It is makrooh for a man to cover his mouth and nose. Abu Hurayrah رضي الله عنه said: "The Messenger of Allah ﷺ has forbidden men from covering their mouth in prayer." <sup>2</sup> For a woman, it is makrooh to cover the mouth and nose with her head covering unless she fears that a non-mahram man may see her, or that she may cause temptation. In this case, she drops her veil onto her face when standing and bowing and lifts it up when prostrating so that her forehead can touch the ground.
20. To pray when sleepiness is overwhelming. Aisha رضي الله عنها narrated that the Prophet ﷺ said: "If one of you feels sleepy during a prayer, let him lie down till he is no longer sleepy. If one of you prays while feeling sleepy he may find himself cursing him instead of asking for forgiveness." <sup>3</sup>
21. To spit forward or to the right if one is **not** in a mosque, and it is completely makrooh if in a mosque, except into something such a handkerchief, for this action has been forbidden in the authentic hadith. It is makrooh also for one not praying to do so. Anas رضي الله عنه said: "The Messenger of Allah ﷺ said: 'Spitting in the mosque is a sin and its penance is to bury it.'" <sup>4</sup> Also, Jaber ibn Abdullah رضي الله عنه said: "The Messenger of Allah ﷺ came to us, in this mosque of ours, and he was holding a dry branch of a palm tree in his hand. He looked and saw dried spit, so he came to it, scraped it off with the branch, and said: 'Which one of you likes Allah to turn His face away from him?' Then he said: 'When one of you stands to pray, Allah will be facing him, so let one not spit forward or to the right, rather one should expectorate to the left under one's foot. If one has to expectorate then let him spit into the hem of one's garment like this; and he ﷺ put his garment on his mouth and rubbed it.'" <sup>5</sup>
22. To interlock one's fingers or crack one's knuckles during the prayer because such things do not fit with awe and humility.

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Description of the Prayer, Chapter 11/719.

<sup>2</sup> Ibn Maja, Vol. 1, The Book of Establishing the Prayer and the Sunna, Chapter 42/966.

<sup>3</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 22/485.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Mosques, Chapter 5/405.

<sup>5</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 22/485.

# WHAT INVALIDATES THE PRAYER

Prayer is invalidated if:

1. One lacks one of the necessary conditions of prayer, though able to satisfy it. This is true whether one: Begins the prayer without meeting the condition, or begins it while meeting the condition and then loses it. The following are examples of this case:
  - a. When one touches inexcusable najasa.
  - b. When one breaks one's wudu before the prayer's first salam.
  - c. When one's awra, or part thereof, is uncovered.
  - d. When one deviates from the qibla.
  - e. When one gives up Islam (may Allah save us).
2. One intentionally interrupts a rukn (pillar), such as intentionally straightening up before bowing is complete, prostrating before straightening up is complete, or sitting for the testification of faith before the second prostration is complete.
3. One leaves a rukn of prayer. The Prophet ﷺ said to the one who prayed improperly: "Go back and pray for you have not prayed."
4. One intentionally does a physical rukn ahead of its proper time. By contrast, doing a verbal rukn ahead of its proper time does not nullify the prayer. However, it simply does not count and it should be repeated in its proper place. Salam is the one exception of the verbal actions, which does nullify the prayer if intentionally done ahead of its time.
5. One intentionally lengthens a short rukn<sup>1</sup>. A short rukn is considered to have been lengthened if, for example, one pauses after straightening up longer than is needed to say the supplication prescribed in it, by a time equal to that which it takes to read the Fatiha, or lengthening the sitting between the two prostrations by a time equal to that needed to read the minimum of the testification of faith in addition to the invocation prescribed in it. If the time is less than that, the prayer is valid<sup>2</sup>.

<sup>1</sup> Short and long rukns have been explained earlier.

<sup>2</sup> Straightening up is regarded a short rukn. However, Al-Nawawi's opinion is that it is permissible to lengthen it because there is evidence to the effect. Huthayfa ؓ said: "One night, I prayed behind the Prophet ﷺ and he started with Al-Baqara, so I said to myself: 'He will bow on the one hundredth verse,' but he ﷺ kept on reading, and I said to myself: 'He will read it in one rak'a,' but he ﷺ kept on reading, and I said to myself: 'He will bow when he finishes reading it,' but he ﷺ started with Al-Nisa' and read it then he started Aal-Umran and read it. He ﷺ was reciting the verses in a slow, pleasant way and whenever he came across an ayah containing glorification of Allah, he glorified Allah and whenever he came across an ayah asking Allah, he asked Allah, and whenever he came across one seeking refuge in Allah, he sought refuge. Then he bowed and said: 'My Lord Most Great is exalted above all limitation.' His bowing was almost as long as his standing. Then he ﷺ said: 'Allah hears whoever praises Him.' Then he stood for nearly as long as he bowed. Then he prostrated and said: 'My Lord most High is exalted above all limitation,' and his

6. The period of doubt<sup>1</sup> about one's intention or the opening takbir, extends long enough to perform a verbal or physical rukn. Hence, if while praying one has doubts whether or not one has performed the opening takbir, made his intention, or has met the conditions of making the intention, then one must do nothing while in this state of doubt, rather one should try to remember. If one remembers, having done all the above, one's prayer is definitely valid unless the period of doubt is long, then one's prayer is invalid because the prayer's sequence was interrupted. If one performs a verbal or physical pillar while in doubt, his prayer is invalid, even if he remembers having made the intention or takbir.
7. One decides to terminate the prayer. Such as intending during the first rak'a to terminate the prayer when one reaches the second, in which case one's prayer is invalidated immediately. Prayer is also invalid if one does not know whether one has intended to stop praying or not, meaning one hesitates as to whether he should stop praying or continue. The same is true if one decides to terminate one's prayer if such and such a thing happens, because the intention is a necessary condition throughout the whole prayer, hence doing so interrupts this condition and one's prayer becomes invalid just like interrupting purification with hadath.

If one begins Thuhr, for example, then changes the intention to Asr, then his Thuhr will be invalid because he interrupted its intention, and his Asr prayer will not be valid because he did not intend it at the opening takbir.

It is forbidden once one has begun a prescribed prayer to interrupt it but for an emergency such as saving the life of a child, or averting a serious accident such as fire. However, it is permissible to interrupt a non-obligatory prayer to respond to one's parent (who does not know that one is praying and who will be distressed if not answered).

8. One lags behind, or goes ahead of the imam, intentionally, by two or more physical rukns without an excuse.
9. One talks, even if forced to. Yasar narrated through Mu'awiya ibn Al-Hakam Assullami رضي الله عنه that the Messenger of Allah ﷺ said: "Naught of people's talk is good in this prayer, rather (it comprises of) tasbih, takbir, and Quran verses."<sup>2</sup>

Talk that nullifies one's prayer is explained below:

- a. To utter intentionally two or more letters of the alphabet, even if they do not constitute a meaningful word, or a single letter that conveys a meaning<sup>3</sup>, even if in the interest of the prayer. However, if one intentionally utters a single

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prostration was almost as long as his standing." Muslim, Vol. 1, The Book of Travel Prayer and Shortening it, Chapter 27/203. Al-Nawawi said: "This hadith states that it is permissible to lengthen the straightening-up with invocation (thikr), and it is difficult to prove that lengthening is prohibited, hence it is more likely that lengthening is permissible."

<sup>1</sup> These doubts should not be confused with the wisswass (obsessions) that some people are afflicted with.

<sup>2</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 7/33.

<sup>3</sup> Such as saying in Arabic: "ع", which is the imperative form of the Arabic word for "understand", or "ق" which is the imperative form of the Arabic word for "save."

letter that does not convey any meaning, one's prayer remains valid, unless one means to nullify his prayer by uttering it.

- b. Prayer is also invalidated if, while clearing one's throat, laughing, moaning, weeping (even out of fear of Allah), blowing from one's mouth or nose, coughing, sneezing, or sighing one utters the sound of a single letter that conveys a meaning, or the sound of two letters that do not convey a meaning. This is true only if one was able to suppress it and did not. However, if no letters are uttered as a result of any of the above, the prayer is valid. If one utters a sound like that of braying, neighing, or chirping, without pronouncing a letter, his prayer is valid unless he meant to do so.
- c. One's prayer is invalid if one pronounces ayahs of the Quran with the intention of telling someone something (not with the intention of Quran recital) such as saying to someone asking for permission to enter: "Enter it here in peace and security."<sup>1</sup> Prayer is also invalid if one recites without any particular intention, because it becomes like the talk of people. However, if one's intention is both Quran recital (*tilawah*) and informing, then one's prayer is **not** invalid.

One is excused for talk in the prayer in the following cases:

- a. Blurting out words inadvertently, or uttering two letters when overcome with laughter, sneezing, or coughing.
- b. Saying a few words forgetfully, or because one does not know it is forbidden during the prayer (because one is a new Muslim or has been raised in a remote desert away from scholars). The limit is six or less words or utterances conventionally considered as words. If one utters more than six words, his prayer is invalidated.
- c. One is excused when clearing one's throat, even if frequently, if one is unable otherwise to pronounce one of the verbal rukns of prayer such as reading the Fatiha.

None of the following talk affects the prayer:

- a. Du'a and thikr- unless it is a direct address, such as answering a greeting back, blessing one who has sneezed, or saying: "May Allah forgive you," or "May Allah grant you health." However, if one says any of the above in the third person such as saying "May Allah bless him" or "May Allah have mercy on him," then one's prayer will not be invalidated because such sayings are pure supplication.
- b. Saying something that brings one closer to Allah's pleasure such as freeing a slave or making a vow, such as offering a sacrifice for the sake of Allah, fasting, or praying because in doing so one talks to Allah ﷻ. This does not invalidate the prayer because if one waits until he finishes the prayer, his *nafs* (base/lower ego) may convince him to go back on the vow.

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<sup>1</sup> Al-Hijr, 46.

Pausing at length for no excuse does not invalidate the prayer<sup>1</sup>.

When something happens to one during the prayer<sup>2</sup>, it is recommended for a man to say "Subhan Allah"<sup>3</sup> and a woman to clap the right palm on the back of the left one, or vice versa<sup>4</sup>. If the man claps and the woman says "Subhan Allah," then they both have opposed the sunna, but their prayer is valid. Sahl ibn Sa'id ؓ narrated that the Prophet ﷺ said in the hadith when he sent Abu Bakr to substitute for the Prophet ﷺ in leading the people in prayer: "When something happens to one during the prayer, then let him say 'Subhan Allah' because when one does so he draws attention to himself. As for clapping, it is for women."<sup>5</sup>

**10. One adds an act to the prayer:**

**a.** If the act is one of the actions of prayer, such as performing an extra bow, or another physical pillar<sup>6</sup>, then:

1. If done intentionally, prayer is invalidated, because one is ridiculing prayer.

2. If done absentmindedly, prayer does not become invalidated, be it a grave or minor action. Abdullah ؓ narrated: "That the Messenger of Allah ﷺ prayed five rak'as for Thuhr. He was asked: 'Has prayer been increased?' He said: 'What do you mean.' Someone said: 'You prayed five rak'as.' So he ﷺ prostrated twice after making salam." Besides, this cannot be helped.

**b.** If the act is not one of the actions of prayer, such as walking, striking (something), arranging one's clothes, or signalling, then:

1. If it is a minor act, prayer remains valid, whether one does it intentionally or absentmindedly, unless one does it in jest. The Prophet ﷺ ordered the one praying to push aside one who tries to pass in front of him, as mentioned earlier, and to kill the snake and scorpion while in prayer<sup>7</sup> and he took off his shoes<sup>8</sup>, carried Umama bint Abu Al-Aas (and he would put her down when prostrating and lift her up when standing<sup>9</sup>), and answered back the greeting of Al-Ansar while in prayer

<sup>1</sup> This is obviously only true in a long rukn, because it has been mentioned that intentionally lengthening a short rukn invalidates the prayer.

<sup>2</sup> Such as if one tries to talk to him (while in prayer) and he wants to let him know that he is praying, or if the imam makes a mistake and one wants to draw the imam's attention to the fact.

<sup>3</sup> Intending thereby invocation and informing together. If one intends only informing then one's prayer becomes invalidated.

<sup>4</sup> If, out of mockery, she claps palm to palm even a little, then her prayer is invalidated because this diminishes her khushoo' and humility in prayer unless she does not know that it is forbidden.

<sup>5</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 22/102.

<sup>6</sup> Adding a verbal rukn is not the same as adding a physical rukn. For example, reading the Fatiha twice does not invalidate the prayer because it does not change the prayer's sequence, and because it is a repetition of Quran recital such as reading a sura after the Fatiha twice. Salam is an exception from this, because intentionally adding it invalidates the prayer.

<sup>7</sup> See Abu Dawood, Vol. 1, The Book of Prayer, Chapter 169/921.

<sup>8</sup> See Abu Dawood, Vol. 1, The Book of Prayer, Chapter 89/650.

<sup>9</sup> See Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 9141. Some have explained the Prophet's ﷺ carrying of Umama with the fact that her clothes might have been pure and that this is one of his special traits. However, if a child goes over one's back while praying and one is certain

by stretching his hand with its palm facing downwards and its back facing upward<sup>1</sup>; and because, one praying cannot help but make some minor motions, hence this does not invalidate the prayer.

2. If it is a grave act, such as walking several consecutive steps, or striking consecutive strokes, one's prayer will be invalidated, whether one does it intentionally or absentmindedly because there is no need for this in general.

The criterion of a grave action is left to convention. That which people consider little does not harm, such as raising one's hand in response to someone's greeting, taking off one's shoes, taking a turban off or putting it on, putting on a light garment or taking it off, lifting a young child and putting him down. Therefore: Three consecutive actions are definitely considered grave. The three actions need not be of the same kind. For example, if one moves his head and hand and takes a step, then this is considered grave, and it invalidates the prayer. A big jump, moving all or most of the body even if one's feet remain fixed, and to strike fiercely are all considered grave acts.

The conditions for a grave act to invalidate the prayer are :

- a. For there to be no pause between actions.
- b. The actions must be with a limb or the whole body. Therefore, moving one's fingers each on its own without moving the whole hand<sup>2</sup> (counting on a rosary, scratching one's body, loosening a knot) moving one's tongue or lips without moving the jaw, and moving one's eyebrows or eyelids. All these motions do not invalidate the prayer (even if done in succession), but it is makrooh for one to do them deliberately.

## 11. One eats or drinks:

- a. Eating and/or drinking invalidate the prayer, even if one forgets, or is unaware that such an act invalidates the prayer (contrary to fasting which is not invalidated by eating or drinking, even a lot, if one is unaware of the conditions of fasting<sup>3</sup> or forgets that he is fasting). The reasons for this distinction between fasting and prayer is:

1. Prayer has a prescribed manner and form (unlike fasting) which reminds one of what he is doing.
2. Prayer has regular actions, hence much eating or drinking interrupts the prayer's sequence, unlike fasting which is just abstaining and withholding.

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that the child clothes are najis, his prayer will be invalidated, but if one is certain that the child's clothes are pure (taher), then one's prayer will not be invalidated.

<sup>1</sup> See Abu Dawood, Vol. 1, The Book of Prayer, Chapter 170/927.

<sup>2</sup> But moving all of one's fingers together repeatedly is wrong.

<sup>3</sup> Because he is a new Muslim, or has been raised away from Islamic knowledge and scholars.

- b.** Little eating or drinking do not invalidate the prayer, if done absentmindedly or because of excusable ignorance. However, if one intentionally eats or drinks, his prayer is invalid, be it much or little of food. In fact, if phlegm runs down one's throat and one swallows it, one's prayer is invalid unless he is unable to stop it. There is no harm if saliva runs between the teeth unless some bits of food separate and are swallowed by one praying, in which case his prayer is invalid. If one is forced to eat or drink, even a little, his prayer will be invalidated because this is a rare case.



# THE PROSTRATION OF FORGETFULNESS

The prostration of forgetfulness has been prescribed to amend faults in obligatory, or non-obligatory, prayers and to spite Shaytan.

## Its evidence

Abu Sa'id Al-Khadari رضي الله عنه narrated that the Prophet ﷺ said: "If one of you gets doubtful in his prayer<sup>1</sup> then let him cast away the doubt and build upon certainty. Once one is certain of the completeness (of his prayer), he should prostrate twice. Therefore, if his prayer was complete, the (additional) rak'a and the two prostrations will be (regarded as) a voluntary, and if his prayer was incomplete, the rak'a will have been a completion of his prayer and the two prostrations will defeat Shaytan."<sup>2</sup>

## Its legal status

The legal status of the prostration of forgetfulness differs depending on the situation:

1. The prostration of forgetfulness is **sunna** for the following:
  - a. One praying alone.
  - b. An imam.
  - c. A follower if the imam forgets something and does not prostrate for forgetfulness.
  - d. A latecomer for his own errors which took place after the imam finished his prayer.
  - e. A follower for his own errors which took place before joining the imam<sup>3</sup>.
  - f. A follower if the imam is Hanafi and performs the prostration of forgetfulness after the prayer's first salam. In this case, the follower is not obligated to follow the imam in the prostration of forgetfulness because his leadership is terminated by finishing with salam.
  - g. A latecomer who followed the imam in the prostration of forgetfulness. In this case, the latecomer is recommended to re-perform the prostration at the end of his own prayer because he performed the first one to comply with the imam and not in its proper place.

The evidence that the prostration of forgetfulness is sunna is that the Prophet ﷺ said in the above mentioned hadith narrated by Abu Sa'id Al-Khadari رضي الله عنه: "... If his

<sup>1</sup> As to how many rak'a he has performed so far.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 197/1024.

<sup>3</sup> Such as starting to pray on his own, making an error, then entering into congregational prayer.

prayer has been complete, the rak'a and the two prostrations will be (regarded as) voluntary..”

2. The prostration of forgetfulness is **obligatory** on a follower if his imam performs it before the prayer's first salam. Moreover, even if one forgetfully makes salam after that of his imam without performing the prostration, he is obligated to return to it if he recalls it immediately, otherwise he has to re-perform his prayer as though he had forgotten one of its pillars. Anas ibn Malek رضي الله عنه narrated that the Prophet ﷺ said: “The imam is to be followed.”<sup>1</sup>

## How to perform the prostration of forgetfulness

The prostration of forgetfulness is comprised of two prostrations. Its obligations, sunnas, and invocations (thikr) being the same as those of the prayer's prostrations. It is appropriate to say in it: “Exalted above all limitations is He Who does not fall asleep nor forgets.” [69] If one is responsible for his oversight, it is sunna to ask Allah for forgiveness in his prostration.

An intention is necessary, but one must not pronounce it. Hence, if one prostrates without intention or pronounces it, his prayer is invalid. A follower need not make the intention because of his subordination to the imam.

If two or more oversights of the same kind, or even of different kinds, take place in one's prayer then the two prostrations are sufficient for them all. In fact, it is not permissible to make more than two prostrations because the Prophet ﷺ stood up after performing two rak'as and spoke to Thul Yada'in, and he did not perform more than two prostrations<sup>2</sup>. Furthermore, if two prostrations of forgetfulness were needed for every oversight, one would have been obligated to prostrate immediately after an oversight. The fact that the prostration of forgetfulness is postponed till the end of prayer indicates that (it is deliberately delayed so that) it covers all oversights that may take place in the prayer. If, while prostrating for forgetfulness, one absentmindedly performs three prostrations, then one need not prostrate for this oversight. However, if one is not certain if he performed one or two prostrations, he must perform one more prostration and need not re-perform the prostration of forgetfulness if he later finds out that he prostrated three times. The prostration of forgetfulness makes up for all oversights, which is why it is postponed till the end of one's prayer.

## When must the prostration of forgetfulness be performed

The prostration of forgetfulness should be performed before the prayer's first salam according to the many authentic hadith about this. One such hadith is narrated by Abdullah ibn Buhaina رضي الله عنه who said: “Once the Messenger of Allah ﷺ led us in two

<sup>1</sup> Muslim, The Book of Prayer, Chapter 19/77. The complete hadith will be cited in the chapter of congregational prayer.

<sup>2</sup> The full hadith will be cited in full, later in this chapter.

rak'as of one of the prayers, then he stood up and did not sit, so the people stood up with him, and at the end of the prayer while we were waiting for him to end prayer with salam, he said 'Allahu Akbar' and performed two prostrations while still seated in the prayer's final sitting, then performed salam."<sup>1</sup>

Also, performing the prostration of forgetfulness before salam was the last way the Prophet ﷺ performed it. It is known in fiqh *that later actions (or sayings) of the Prophet ﷺ supercede earlier ones*. Furthermore, the prostration of forgetfulness is performed to amend prayer, hence it should be performed before salam just as if one has forgotten a prostration from the prayer.

The prostration of forgetfulness should only be performed after the prayer's final testification of faith (tashahud) and the blessings on the Prophet ﷺ. Hence, if one prostrates before that, one's prayer is invalid. Moreover, if one is praying behind an imam who prostrates for forgetfulness before one has finished reading the testification of faith and the blessing on the Prophet ﷺ, one is obligated to finish them first then perform the prostration of forgetfulness in obedience to the imam's leadership.

## When the prostration of forgetfulness is missed

The prostration of forgetfulness is missed once the person praying makes salam intentionally although aware that he had made an oversight. If the one praying makes salam having forgotten his oversight, he may perform the prostration of forgetfulness if he recalls it within a short period of time. Because the prostration of forgetfulness is performed to complete the prayer, hence it cannot be performed after a long interlude. In the case of one absentmindedly making salam before prostrating for forgetfulness, then performing the prostration of forgetfulness shortly thereafter, one is regarded as returning to prayer, therefore, talking intentionally, or breaking one's wudu during the prostration will render one's prayer invalid.

## Its reasons

Reasons for the prostration of forgetfulness can be divided into three categories<sup>2</sup>:

1. Leaving out something that should be done, such as a rukn, a main sunna, or an ordinary sunna:
  - a. If one intentionally leaves out a rukn, one's prayer is invalid, as stated earlier. If a rukn is forgotten, it must be done and then one prostrates for forgetfulness in the case of the rukn being extra.
  - b. The prostration of forgetfulness compensates for leaving out a main sunna, whether one is certain or doubtful that he missed it.
  - c. Leaving out an ordinary sunna, forgetfully or intentionally, does not require one to perform the prostration of forgetfulness to amend it, whether one is

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 19/85. Other hadith which indicates this will also be cited later on.

<sup>2</sup> This categorization is meant to make it easier for study. However, these groups may overlap in some cases.

certain or doubtful that he missed it. If one prostrates for leaving out an ordinary sunna, one's prayer will be invalid.

2. Doing something forbidden, such as absentmindedly performing something that would invalidate the prayer if done intentionally.
3. Doing something in prayer that is likely to be additional, or doing something that must be done but with hesitation.

The details of the above mentioned reasons are as follows:

## **Non-performance of something called for**

### **Absentmindedly leaving out a pillar**

- a. If someone praying alone, or as an imam<sup>1</sup>, recalls that he left out one of the rukns of prayer<sup>2</sup> before coming to the same rukn, then he is obligated to perform it immediately and recommended to prostrate for forgetfulness at the end of one's prayer, in case there has been an addition. Furthermore, everything one did after the missed rukn does not count and should be repeated after doing the rukn because the order of the prayer's actions is an obligation. For example, if one recalls while in the last rak'a, and before one finishes with salam, that he skipped a prostration from this rak'a, then one should perform this prostration and re-perform the testification of faith because the latter did not take place in its proper order, and one is recommended to prostrate for forgetfulness. As another example, if one skips a prostration from the first rak'a and recalls it while standing in the second rak'a, then if one has not sat down after the first rak'a and before standing up to perform the second, one should sit then prostrate, but if one has sat down after the first prostration of the first rak'a, even with the intention of *rest*, one may prostrate immediately and the brief sitting would suffice him because it took place in its proper order. In this case, one is recommended to prostrate for forgetfulness at the end of the prayer because he performed an extra standing. The fact that sitting for rest serves in place of the obligatory sitting between prostrations cannot be compared to the Quran recital prostration. For example, if one misses a prostration from one's prayer and prostrates for Quran recital in the same prayer, then this prostration does not serve in place of the missed one, because the Quran recital prostration is incidental to prayer whereas the resting sitting is part of it.
- b. If one recalls that he has missed a pillar only after reaching and performing the equivalent pillar (in a subsequent rak'a), then one should make that one in place of the missed pillar, finish the rak'a, disregard everything performed in between, complete the rest of the prayer, and perform the prostration of forgetfulness to compensate for any addition. If one recalls while in prayer that he missed a rak'a, he should perform it. If one realizes that he missed two prostrations, then:

<sup>1</sup> The case of forgetfulness of a follower will be discussed later in this chapter.

<sup>2</sup> With the exception of the intention and the opening takbir.

1. If they both belong to the last rak'a, one should perform them and then read the testification of faith.
  2. If they belong to a rak'a other than the last rak'a, then: If one knows that they belong to a single rak'a one should perform a rak'a, and if to two consecutive rak'as then one rak'a will suffice. If one knows that they belong to two nonconsecutive rak'as, or cannot remember in which rak'as he missed them, then he should perform two rak'as.
- c. If one recalls, after finishing with salam, that he missed a rukn<sup>1</sup> then:
1. If the missed rukn belongs to a rak'a other than the last rak'a and one recalls it shortly after finishing with salam, then one should perform a complete rak'a. If the missed rukn belongs to the last rak'a then one should perform it and re-perform what comes after it. In both cases, one is recommended to prostrate for forgetfulness because one has absentmindedly performed something (salam) that invalidates the prayer if intentionally done.  
 If the missed rukn is one or two rak'as, from a prayer that is composed of three or four rak'as, one should immediately return to prayer by saying the opening takbir only without the intention or the opening supplication. One should then read the Fatiha, and perform what he missed, because one is still in prayer since the first salam. Finally, one is recommended to prostrate for forgetfulness.
  2. If one recalls leaving out a rukn a long time after salam, or after touching wet najasa, one should do the prayer over. The criterion of a *long* or *short* time depends on what is commonly held as such. It has been said that a 'short time' can be estimated from the story that were told about the Prophet ﷺ in a hadith narrated by Abu Hurayrah ؓ which says: "The Messenger of Allah ﷺ led us in Asr prayer and finished with salam after performing two rak'as. So, Thul Yadain stood up and said: 'O Messenger of Allah, has the prayer been shortened or have you forgotten?' The Messenger of Allah ﷺ said: 'No such thing happened.' Thul Yadain said: 'O Messenger of Allah, some of this has happened.' The Messenger of Allah turned towards the people and asked: 'Is Thul Yadain telling the truth?' They said: 'Yes, Messenger of Allah.' The Messenger of Allah ﷺ completed what was missed of his prayer then performed two prostrations while seated after finishing with salam."<sup>2</sup> Since it is permissible to return to prayer after a short interlude, it does not matter if one, after finishing with salam, talks, leaves the mosque, turns his back to the qibla, or performs similar matters for the above mentioned hadith of Thul Yadain.
- d. If one realizes, during the prayer or a short (or long) interlude after, that he missed the intention, the opening takbir, or both, then one should re-perform the prayer.
- e. If the missed pillar is salam, then if one recalls it shortly thereafter he can perform it and need not prostrate for forgetfulness, otherwise one should repeat the prayer.

<sup>1</sup> Except the intention and the opening takbir.

<sup>2</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 19/99.

## Being in doubt that one has missed a pillar

- a. If one suspects before finishing with salam that he has missed one of the pillars, apart from the intention and the opening takbir, then one should build upon certainty and hence his status becomes like one who recalls missing a rukn, which has been explained in detail above. Hence, if one suspects he missed a rukn before performing an equivalent one, he is obligated to perform it immediately and prostrate for forgetfulness in case there has been an addition. If one's doubts dissipate before he performs any additional rukn then one need not prostrate for forgetfulness.

Similarly, if the rukn suspected of being missed is a rak'a, such as being in doubt as to whether one has performed one or two rak'as, or three or four rak'as, then one should go by the lesser number and perform the rest. Abu Sa'id Al-Khadari رضي الله عنه, narrated that: "The Messenger of Allah said: 'If one is doubtful while in prayer whether he performed three or four rak'as then let him cast away the doubt and build upon what he is certain of. Let him perform two prostrations before finishing with salam, so that if he performed five rak'as they (the two prostrations) will amend his prayer, and if he performed four rak'as they will defeat Shaytan.'"<sup>1</sup> Also, Abdul Rahman ibn Auf رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'If one of you is in doubt in prayer and does not know whether he has performed one or two rak'as then let him assume that he has performed one, and if he could not tell whether he performed two or three rak'as then let him assume that he performed two, and if he cannot tell whether he performed three or four rak'as then let him assume that he performed three and then let him prostrate twice before finishing with salam.'"<sup>2</sup>

- b. If one suspects after finishing with salam that he missed a rukn (apart from the intention and the opening takbir), he need not do anything. Allah ﷻ says: "And make not in vain your deeds."<sup>3</sup> And because, by appearance one has performed the prayer completely, hence the uncertainty taking place after that does not affect the prayer.
- c. If one is doubtful whether or not he performed the intention or the opening takbir, then one's prayer is invalidated and one has to re-perform it whether he became uncertain during the prayer or a short (or long) period after salam. However, if one is uncertain whether or not he has performed one or both of them then quickly recalls that he has performed them before initiating a physical or verbal rukn while still in doubt, then his prayer is **not** invalidated.

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 19/88.

<sup>2</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 291/398.

<sup>3</sup> Muhammad, 33.

## **Being certain of, intentionally or absentmindedly, leaving out a main sunna or a part thereof**

It is sunna for one who, intentionally or absentmindedly, leaves out a main sunna to prostrate for forgetfulness at the end of one's prayer. One who intentionally leaves out a main sunna has even greater reason of prostrating because he is neglectful.

It is permissible to return to the missed main sunna only as explained below:

### **a. If one absentmindedly misses a main sunna, then :**

1. If one has begun the obligatory act that follows the missed main sunna then he is **forbidden** to return to that main sunna. One must finish the prayer and then is recommended to prostrate for forgetfulness. If one returns deliberately while aware that it is forbidden to do so, then one's prayer is invalid.

An example of being in the act of an obligatory rukn is when one misses the first testification of faith and does not recall it till he stands upright, or misses the supplication of qunut and does not recall it till he prostrates. The criterion of being in the act of standing upright (in the case of missing the testification of faith) is reaching a position at which Quran recital counts, that is when one straightens one's posture beyond the least bowing limit. The criterion of being in the act of prostration (in the case of missing the supplication of qunut) is to bear the weight of all the body parts of prostration on the ground even if one does not repose therein.

2. If one has not initiated an obligatory act, one is permitted to return to the forgotten sunna. If one performs the missed sunna, one need not prostrate for forgetfulness, unless, when missing the first testification of faith, he reaches a point at which he is closer to standing than to prostration, or, when missing the supplication of qunut, he reaches while moving downwards the minimal form of bowing. In these two cases, one is still permitted to return to the missed sunna and is recommended to prostrate for forgetfulness at the end of one's prayer.

### **b. If one intentionally leaves out a main sunna:**

It is not permissible to return to the intentionally left out sunna unless one (in the case of leaving out the first testification of faith) is closer to prostration than to standing, or (in the case of missing the supplication of qunut) has not reached the least bowing limit while moving down. In both cases, if one returns to the missed main sunna he need not prostrate for forgetfulness, otherwise (if one does not return) he is recommended to.

## **Being doubtful that one has missed a main sunna**

In this case, it is sunna to prostrate for forgetfulness because the initial assumption is that one has missed it.

## Committing something prohibited

If one is certain that he absentmindedly performed something that invalidates the prayer- if done intentionally- such as absentmindedly adding a prostration, bowing, talking, or making salam out of its proper place, then one is recommended to prostrate for forgetfulness at the end of one's prayer, because the Prophet ﷺ made salam after performing only two rak'as, spoke to Thul Yada'in, then completed his prayer and prostrated twice thereafter.

If one, intentionally or absentmindedly, does something which does not invalidate the prayer even if done intentionally, such as turning one's face, taking one or two steps, striking once or twice, sitting with one's knees drawn up, putting one's hand on one's mouth or hip, looking at a distraction, thinking, fussing with one's beard, and the like, one need not prostrate for forgetfulness. The Prophet ﷺ looked at the print of his garment and said (when finished): "It distracted me from prayer,"<sup>1</sup> remembered that he had some gold<sup>2</sup>, carried Umama and put her down, and took off his shoes while in prayer<sup>3</sup>, and he did not prostrate for any of these. Reciting Quran, the testification of faith, or the blessings on the Prophet other than in their proper places are an exception, for one is recommended to prostrate, if one, intentionally or absentmindedly, transfers one of these verbal pillars from its proper place.

One need not prostrate for doing something that invalidates the prayer whether done intentionally or absentmindedly such as physical movements, or much talking. Indeed, it is even prohibited to prostrate because one who does such things is no longer in prayer.

## Being certain or doubtful that one has added a physical pillar

1. If one is certain that he absentmindedly added a rak'a, a bow, a prostration, a standing, or the like, then he is recommended to prostrate for forgetfulness.
2. If one is uncertain whether he performed three or four rak'as, then he is obligated to perform another rak'a then prostrate for forgetfulness, for the above mentioned hadith narrated by Abu Sa'id Al-Khadari رضي الله عنه, and because one was unsure whether he performed four rakas or five. If one's doubts dissipate before salam and before prostrating (for forgetfulness) and he realizes that he performed rak'a is the fourth he is still recommended to prostrate, for hesitancy<sup>4</sup>. The criterion for uncertainty and its elimination is that if what one performed in doubt is necessary anyway, then one does not prostrate for forgetfulness, and if it is possibly extra then one prostrates. For example, if one suspects while standing up in Thuhr whether the current rak'a is his third or fourth, and he bows and prostrates while in doubt then

<sup>1</sup> Narrated by Aisha رضي الله عنها. Al-Bukhari, Vol. 1, The Book of Praying in Clothing, Chapter 13/366.

<sup>2</sup> Narrated by Abu Qatada رضي الله عنه. Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 9/41.

<sup>3</sup> Narrated by Abu Sa'id Al-Khadari رضي الله عنه. Abu Dawood, Vol. 1, The Book of Prayer, Chapter 89/650.

<sup>4</sup> One who is praying should not accept what others, even if many, tell him about the number of rak'as he has performed, or any other matter. Rather, he should adopt his own belief as to whether he has added or omitted something.



he intends to stand up to perform an additional rak'a to be certain (of the number of rak'as), then if he recalls before standing up to perform the additional rak'a that the last was third or fourth, then one does not have to prostrate because what he had performed, while uncertain, is necessary anyway. However, if one does not recall until he stands up for the additional rak'a, then he prostrates for forgetfulness even if he becomes certain that it is the fourth, because the possibility that what he had performed is extra and it being the fifth, existed when he stood up.

## **When does a follower prostrate for the forgetfulness of his imam and when does he prostrate for his own forgetfulness**

A follower should prostrate for the forgetfulness of his imam, and the imam of his imam as well<sup>1</sup>, even if their forgetfulness took place before he joined the congregational prayer, because the fault will affect his prayer.

If a follower intentionally does not follow his imam in performing the prostration of forgetfulness, his prayer is invalid. An exception is when the follower knows the reason for his imam's forgetfulness and is certain that the latter is mistaken about it. For example, if the imam thinks that he left one of the main sunnas and the follower knows that he has not, then if the imam prostrates the follower should not follow him.

If the imam, intentionally or absentmindedly, does not perform the prostration of forgetfulness for his own oversight, or he believes that it should be performed after the prayer's first salam, the follower is recommended to prostrate at the end of his own prayer, after the imam makes salam. If the imam performs one prostration only for his own oversight, the follower prostrates a second one assuming that the imam has forgotten the second prostration.

A follower should not prostrate for his own oversight when praying behind an imam, because the imam bears the oversights of the follower as long as the *followership* exists. Mu'awiya ibn Al-Hakam رضي الله عنه blessed the one who sneezed in prayer behind the Prophet ﷺ and the Prophet ﷺ said to him: "This prayer is one in which no human talk is valid,"<sup>2</sup> but he did not order him to prostrate. For example, if the follower thinks that his imam made salam and he makes salam too, and then it turns out that the imam did not make salam, the follower has to re-perform salam with the imam and need not prostrate because he has been forgetful while following the imam. Another example is, if a latecomer thinks that his imam made salam, so he stands up to perform what he missed, and he happens to have missed one rak'a for example, so he performs it and sits down, then he realizes that he was wrong and his imam has not made salam yet, then this rak'a does not count because it was **not** done in its proper place, hence he has to make it up after the imam's salam and he need not prostrate for forgetfulness because he was still in the status of followership. However, if the same thing happens, but the imam finishes with salam while the follower is upright, then he

<sup>1</sup> This occurs when the imam does something that requires a forgetfulness prostration then breaks his wudu so one of the followers take his place then someone comes and prays behind the latter.

<sup>2</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 7/33.

should return to sitting then stand up from it, and he has to prostrate for forgetfulness because he added actions after the imam's salam.

If the follower remembers that he left out a rukn, other than the intention and the opening takbir, then he should perform one rak'a after the imam's salam and he need not prostrate for forgetfulness. By contrast, if he suspects that he left out a rukn then he should perform one rak'a after the imam's salam and prostrate for forgetfulness in case there was an addition. Similarly, if a latecomer joins the congregational prayer while the imam is bowing, and has doubts as to whether or not he fulfilled the valid bow (to repose in bowing with the imam), then this rak'a does not count, and he has to prostrate for forgetfulness, and the imam does not bear it for him because the follower became doubtful about the number of the rak'as he performed after the imam's salam.

Finally, if the forgetfulness of the follower has taken place before he follows the imam, or after the imam's salam (if he is a latecomer), then he is recommended to prostrate for his own forgetfulness after the imam's salam, and the imam does not bear the forgetfulness for him because he was not following the imam therein.

# THE QURAN RECITAL PROSTRATION

## Its evidence

Ibn Umar رضي الله عنه narrated: "That the Prophet ﷺ used to read Quran, and when he would read a sura which contained a prostration, he would prostrate and we would prostrate with him so that some of us could not find a place for their forehead."<sup>1</sup>

## Its legal status

1. It is sunna for one who is reciting Quran whether or not in prayer, for one who is listening to Quran recital, even if the one reciting does not perform it, and for one who hears Quran recital, though it is more confirmed for the first two than the last.
2. It is obligatory for one who is praying behind an imam if the imam performs it, and it is obligatory **not** to perform it if the imam does not, otherwise one's prayer becomes invalid, because the Quran recital prostration is sunna whereas following the imam is obligatory as will be explained in the chapter of congregational prayer. If one reads a verse that contains a Quran recital prostration for the purpose of prostrating during prayer, one's prayer is invalid.

One does not prostrate for reciting a *prostration verse* if the one reading is sleeping, drunk, or absentminded because in these cases one has no intention of recital. The same is true if one is in a state of major hadath because his recital is unlawful, or if one hears Quran recital from a radio or tape recorder, because that is the recording of recital not recital itself.

## Its conditions

These are the same as the conditions of prayer's validity that have been explained earlier.

## Its time

The time of Quran recital begins as soon as one finishes reciting a prostration ayah. If the prostration is delayed by more than it takes to perform two rak'as, its time is over and it cannot be made up. If one reads a prostration ayah in prayer and does not prostrate, one can prostrate after finishing with salam if the interlude is short. If the reader or listener is in a state of major hadath while reading or listening, then if he purifies himself within a short time, he can prostrate, otherwise the prostration is missed and cannot be made up.

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<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 20/103.

## Repitition of the prostration of Quran recital

The Quran recital prostration should be repeated every time one reads a prostration ayah even if in the same sitting, or same rak'a. However, if it is the same prostration ayah that is repeated in the same sitting, then one prostration is sufficient.

## How to perform the prostration of Quran recital

The Quran recital prostration may be in, or out of, prayer. Its manner differs accordingly:

### 1. If the prostration is not in prayer then:

Its pillars are:

- a. Making the intention (because it is an act of worship).
- b. Performing the opening takbir while standing or sitting. Ibn Umar رضي الله عنه said: "The Messenger of Allah ﷺ used to read Quran for us and when he would come across a prostration (verse) he would say 'Allahu akbar' and prostrate, and we would prostrate with him."<sup>1</sup>
- c. Performing one prostration whose conditions are same as those of the prostration in prayer.
- d. Making one salam without reading the testification of faith.

Its sunnas are:

- a. Saying the intention.
- b. Raising the hands while saying the opening takbir.
- c. Saying "Allahu akbar" while moving down to prostrate, but it is not recommended to raise one's hands in it.
- d. To say in one's prostration: "O Allah, write it down for me with You as reward, increase by it my wealth, and erase by it my sin, and accept it from me as You accepted from Your servant Dawood عليه السلام." [70] Ibn Abbas رضي الله عنه narrated that: "A man came to the Prophet ﷺ and said: 'O, Messenger of Allah I had a dream that I was praying behind a tree, and I prostrated, and the tree prostrated at my prostration and I heard it saying: 'O Allah, write it down for me with You as reward, increase by it my wealth, and erase by it my sin, and accept it from me as You accepted from Your servant Dawood.' Ibn Abbas said: 'The Prophet ﷺ recited a prostration (verse) and prostrated, and I heard him saying what the man told him the tree said.'"<sup>2</sup> When prostrating for Quran recital, it is sufficient to say what one usually says when prostrating in prayer.
- e. Saying "Allahu akbar" when rising from prostration.
- f. Making a second salam.

### 2. If the prostration is during one's prayer:

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 333/1413.

<sup>2</sup> Al-Tirmithi, Vol. 1, The Chapters of Prayer, Chapter 407/579.

In this case both the one praying alone and the imam are obligated to make the intention- though silently. One praying behind an imam is recommended to make the intention and is obligated to follow the imam. One who is praying need not say the opening takbir before prostrating for Quran recital because he has said it at the beginning of one's prayer, but is recommended for him to say "Allahu akbar" when moving down to prostrate and when rising from it, without raising the hands. When one raises one's head from the Quran recital prostration one stands up and should not sit for resting, nor make salam, but he is obligated to stand upright because moving down to bowing from standing position is obligatory. After standing up, one is recommended to read some Quran then bow.

## **The alternative to the prostration of Quran recital**

If one hears a prostration ayah, one may, as an alternative to prostrating whether or not he is able to prostrate (such as not being pure from both types of hadath), say: "Allah is exalted above any limitation or imperfection. Praise be to Allah. There is no god but Allah. Allah is Greatest" (four times). [45]

# THE PROSTRATION OF THANKS

## Its evidence

Abu Bakra رضي الله عنه narrated that: "Whenever a good matter appeared to the Prophet ﷺ or he had good tidings, he would fall into prostration in thanks to Allah."<sup>1</sup> Also, Ka'b ibn Malek رضي الله عنه said when he was telling the story of his repentance: "... And I fell in prostration (to express my thanks) and realized that relief had come."<sup>2</sup>

## Its legal status

The prostration of thanks is recommended to thank Allah for :

1. A sudden blessing or an averted affliction, whether this blessing or affliction concerns an individual or is general to all Muslims.
2. Not being afflicted with immorality. When one sees an openly immoral person acting sinfully, one may prostrate to motivate the person to repent unless he fears it might have the opposite effect.
3. Being healthy. When one sees someone afflicted with illness. In this case one should prostrate in private so that he does not hurt the feelings of the afflicted person.

If one delays the prostration, it is missed and cannot be made up. The prostration of thanks is recommended when reciting sura Sad other than in prayer because it is the *sura of thankfulness*. However, it is forbidden to prostrate for reciting sura Sad in prayer, and if one intentionally prostrates while knowing that it is forbidden, his prayer will be invalidated.

## How to perform the prostration of thanks

The prostration of thanks is like the prostration of Quran recital out of the prayer with respect to its conditions, pillars, and sunna acts.

<sup>1</sup> Abu Dawood, Vol. 3, The Book of Jihad, Chapter 174/2774.

<sup>2</sup> Al-Bukhari, Vol. 4, The Book of Invasions, Chapter 75/4156.

# REGULAR SUNNA PRAYERS THAT ARE SUBSIDIARY TO THE FIVE PRESCRIBED PRAYERS

Regular sunna prayers which are related to the prescribed prayers are two types:

## I. Confirmed sunna prayers

### Witr prayer

Abu Ayub Al-Ansari رضي الله عنه said: "The Messenger of Allah ﷺ said: 'Witr (prayer) is an obligation on every Muslim, so, if one wishes to perform five rak'as, then let him do so, and if one wishes to perform three then let him do so, and if one wishes to perform one rak'a then let him do so.'" <sup>1</sup> The minimal performance for witr is one rak'a as mentioned in the hadith above. The best is to perform eleven rak'as. It is not valid to pray more than that. Aisha رضي الله عنها, when asked about the prayer of the Messenger of Allah ﷺ in Ramadan, said: "The Messenger of Allah ﷺ never did, more than eleven rak'as even in Ramadan." <sup>2</sup> Hence, it is valid to pray one rak'a for witr but this is foregoing what is fitter, and it is makrooh to make it a habit.

The least optimal number is three rak'as. After reciting the Fatiha, one recites Al-A'la (Quran, 87) in the first rak'a, Al-Kafirun (Quran, 109) in the second, and Al-Ikhlās, Al-Falaq, and Al-Nas (Quran, 112, 113, and 114) in the third.

### The intention of witr

When joining the rak'as of witr, one makes the intention of praying the sunna of witr. However, when performing the rak'as of witr in pairs and then a single witr rak'a, one should, before every pair intend to pray 'part of the witr of the current night,' and before the last rak'a one should say: "I intend (to pray) witr."

### Its time

The time of witr starts when one finishes praying Isha even if it is joined with Maghrib prayer at the time of the latter <sup>3</sup>. It is not permissible to pray witr before Isha. The time of witr ends with the rise of true dawn. Aisha رضي الله عنها said: "The Messenger of Allah ﷺ prayed witr in all different parts of the night up until *sahar* (close to dawn)." <sup>4</sup> The best time for witr is at the end of the night. Abdullah ibn Umar رضي الله عنه narrated that the Prophet

<sup>1</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 338/1422.

<sup>2</sup> Muslim, Vol. 1, The Book of the Travel Prayer and Shortening it, Chapter 17/125.

<sup>3</sup> However, if one becomes resident, as a result of his ship, or other means of transport, arriving at his homeland after he has performed Isha prayer yet before praying witr, then he is not permitted to pray witr until the start of Isha prayer time.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Witr, Chapter 2/951.

ﷺ said: "Pray witr as your last prayer of the night."<sup>1</sup> If one is in the habit of performing tahajjud, he should pray witr after it. Yet, if one prays witr before tahajjud, he need not repeat it after finishing tahajjud, and if he does, it will not be valid. Talq ibn Ali ؓ said: "I heard the Messenger of Allah ﷺ saying: 'No two witr (prayers should be prayed) in the same night.'"<sup>2</sup> If one does not usually pray tahajjud, he is recommended to pray witr after the obligation (fard) and sunna of Isha, for Jaber ؓ said: "The Messenger of Allah ﷺ said: 'One who fears that he might not get up at the end of the night to perform tahajjud, should pray witr at the beginning of the night, but one who hopes to get up at the end of the night, let him pray witr at the end of night, for prayer in the last part of night is witnessed.'"<sup>3</sup>

### **How to perform witr prayer**

If one wants to perform more than one rak'a of witr, one is permitted to perform the prayer in one of three ways. The best of which is to single out the last rak'a after two or more rak'as. Ibn Umar ؓ said: "The Messenger of Allah ﷺ used to separate between the pair of rak'as and the single rak'a with an audible salam."<sup>4</sup> Also, this is recommended in order not to make witr prayer resemble Maghrib. The next best way of performing witr is to join the rak'as of witr and recite one testification of faith in the last rak'a. The third way is to join the rak'as of witr and recite two testifications of faith so that it is just like Maghrib.

### **Two rak'as before Fajr prayer**

Aisha ؓ narrated that the Prophet ﷺ said: "The two (sunna) rak'as before Fajr prayer are better than the world and all that it contains."<sup>5</sup>

### **What is recommended to recite in them.**

It is recommended to recite verse 136 of sura Al-Baqara: "Say: We believe in Allah, and the revelation given to us, and to Ibrahim ..., and verse 64 of sura Aal-Umran: "Say: O People of The Book ! Come to common terms as between us and you ... that we are Muslims." Ibn Abbas ؓ narrated that the Prophet ﷺ used to do that<sup>6</sup>. Also, one may recite Al-Inshirah (Quran, 94) and Al-Fil (Quran, 105), or Al-Kafirun (Quran, 109) and Al-Ikhlās (Quran, 112), for Abu Hurayrah ؓ narrated that the Prophet ﷺ used to do so<sup>7</sup>.

In general, it is recommended to make them short. Al-Bukhari narrated that Aisha ؓ said: "The Prophet ﷺ used to shorten the two rak'as before Fajr prayer so much that I would wonder whether he had recited The Mother of The Book (the Fatiha) or not."<sup>8</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Witr, Chapter 4/953.

<sup>2</sup> Al-Tirmithi, The Books of Payer, Chapter 344/470.

<sup>3</sup> Muslim, Vol. 1, The Book of the Travel Prayer and Shortening it, Chapter 21/162.

<sup>4</sup> The Musnad of Imam Ahmad, Vol. 2, page 76.

<sup>5</sup> Muslim, Vol.1, The Book of the Travel Prayer and Shortening it, Chapter 14/100.

<sup>6</sup> Muslim, Vol.1, The Book of the Travel Prayer and Shortening it, Chapter 14/100.

<sup>7</sup> Muslim, Vol.1, The Book of the Travel Prayer and Shortening it, Chapter 14/98.

<sup>8</sup> Al-Bukhari, Vol. 1, The Book of Volunteering, Chapter 4/1118.



It is also recommended to separate between them and the obligatory prayer by lying on one's right side and thinking of one's lying in the grave, remembering Allah ﷻ (thikr), and making du'a other than for worldly matters, or by moving from one place to another. Aisha ؓ narrated that: "The Prophet ﷺ, after performing prayer, used to talk to me if I was awake, otherwise he would lie down until the call to prayer is raised."<sup>1</sup>

## **Two rak'as before Thuhr (or Friday) prayer**

Abdullah ibn Umar ؓ narrated that: "The Prophet ﷺ used to pray two rak'as before Thuhr, two rak'as after it, two rak'as at home after Maghrib, and two rak'as after Isha. He would not pray after the Friday prayer till he departed (the mosque), and then he would pray two rak'as."<sup>2</sup> This hadith is about praying two rak'as before Thuhr prayer and does not mention anything about praying two rak'as before Friday prayer, though Al-Bukhari mentioned this in the chapter of praying before and after Friday prayer, as if he wanted to prove it by comparing it with Thuhr prayer, because Friday prayer is performed instead of Thuhr prayer. Ibn Al-Munir said: "As if he (Al-Bukhari) wishes to say: 'Originally Thuhr prayer equals Friday prayer unless there is evidence to prove otherwise.'"<sup>3</sup>

## **Two rak'as after Thuhr (or Friday) prayer**

For the above mentioned hadith of Ibn Umar ؓ.

## **Two rak'as after Maghrib prayer**

In which it is recommended to recite Al-Kafirun and Al-Ikhlâs, for the above mentioned hadith of Ibn Umar ؓ.

## **Two rak'as after Isha prayer**

For the above mentioned hadith of Ibn Umar ؓ.

# **II. Unconfirmed sunna prayers**

## **Two rak'as before, and two rak'as after, Thuhr (in addition to the confirmed ones)**

Aisha ؓ narrated: "That the Prophet ﷺ never abandoned (praying) four rak'as before Thuhr."<sup>4</sup> Also, Umm Habiba ؓ narrated that the Prophet ﷺ said: "One who maintains four rak'as before Thuhr and four rak'as after, Allah will save him from Hell-fire. Friday prayer can be compared to Thuhr, hence it is recommended to pray four rak'as before, and four rak'as after Friday prayer. Abu Hurayrah ؓ narrated that the

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Tahajjud, Chapter 23/1108.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 37/895.

<sup>3</sup> Fath Al-Bari, Vol. 2, The Book of Friday, Chapter 39, page 426.

<sup>4</sup> Al-Bukhari, The Book of Volunteering, Chapter 10/1127.

Messenger of Allah ﷺ said: "If one of you performs Friday prayer then let him pray four rak'as after it."<sup>1</sup>

One is permitted to perform the sunna four rak'as before, or after, Thuhr prayer with one opening takbir and salam, however, it is better to perform them in pairs. One is also permitted to join the sunna rak'as of before and after Thuhr (with one takbir) **after** performing the obligation of Thuhr saying: "I intend to pray eight rak'as of the before and after sunna prayers for Thuhr."

If one prays Thuhr after Friday prayer<sup>2</sup>, then the sunna before Thuhr will count for the sunna after Friday prayer. It is recommended to make up the sunna prayer, be it the one before or after the obligatory prayer, if its time (which is the time of the obligatory prayer<sup>3</sup>) is over.

### **Four rak'as before Asr prayer**

Ibn Umar ؓ narrated that the Prophet ﷺ said: "May Allah have mercy on one who performs four rak'as before Asr."<sup>4</sup> One may join them with one takbir and end them with one salam, or pray them in pairs with a takbir before each pair and finishing with salam after each.

### **Two rak'as before Maghrib prayer**

### **Two rak'as before Isha prayer**

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<sup>1</sup> Muslim, Vol. 2, The Book of Friday, Chapter 18/67.

<sup>2</sup> This is done in places where more than one Friday congregation is held for no need, which will be explained in detail in the chapter of Friday prayer.

<sup>3</sup> Generally speaking, if a non-obligatory prayer that has a stated time is missed, it is recommended to make it up. This includes tahajjud prayer. Non-obligatory prayers that are performed for a reason cannot be made up if missed.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 318/430.

# SUNNA PRAYERS UNRELATED TO THE PRESCRIBED PRAYERS

Sunna prayers that are not related to the five prescribed prayers are two types:

## I. Congregational sunna prayers

### The prayer of Eid

#### Definition of the word Eid

The word Eid is derived from the word *Aud* which means returning or revisiting. Therefore, Eid was so called because it returns every year.

#### The legal status of Eid prayer

Eid prayer is a confirmed sunna, because the Messenger of Allah ﷺ performed it regularly, hence it is makrooh to neglect it.

Its attendance is recommended for both residents and travellers and women-with the exception of the attractive. For women attending three conditions must be satisfied: The husband's permission, not to wear perfume, and not to wear attractive clothing. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Do not forbid women from attending the mosques of Allah, but they should go out wearing no perfume."<sup>1</sup>

#### The time of Eid prayer

The time of Eid prayer is between sun rise and just before its zenith. The rise of part of the sun's disk is sufficient- however it is recommended to delay Eid prayer until the sun rises as high as a spear's length. Unlike other prayers, it is not preferred to perform Eid prayer at the beginning of its time. Performing Eid prayer before the sun has risen by a spear's length is forgoing what is fitter.

#### The form of Eid prayer

It is recommended to perform the Eid prayer in congregation, though it is valid to pray it individually, except for a pilgrim who must perform it individually since he is preoccupied with the acts of hajj. It is makrooh to hold more than one congregation needlessly.

It is not sunna to call the athan nor the iqama for Eid prayer. Jaber رضي الله عنه said: "I performed the prayers of the two Eids with the Prophet ﷺ many times, without athan

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<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 53/565.

or iqama.”<sup>1</sup> Instead, in comparison with solar eclipse prayer, Eid prayer is announced by pronouncing : “The prayer is gathering.” [71]

Eid prayer is two rak’as. Umar ؓ said: “The prayer of (Eid) Al-Adha is two rak’as, and that of (Eid) Al-Fitr is two rak’as.”<sup>2</sup> The minimum acceptable form of Eid prayer, and its sunna acts, is like that of any other prayer.

The best form of Eid prayer is to begin the two rak’as with the opening takbir, after making the intention of Eid prayer, to read the opening supplication (du’a), then say “Allahu akbar” seven times not counting the opening takbir or the one before bowing. Then one should say: “I seek refuge in Allah from the cursed Devil.” After one recites the Fatiha, one recites a sura aloud. It is recommended to recite Qaf, Al-A’la, or Al-Kafirun (Quran, 50, 87, and 109) in the first rak’a. In the second rak’a, one should say “Allahu Akbar” five times not counting the ones when rising from prostration or before bowing, recite the Fatiha, then recite a sura aloud. It is recommended to recite Al-Qamar, Al-Ghashia, or Al-Iklas (Quran, 54, 88, and 112) if one has recited Qaf, Al-Aala, or Al-Kafirun in the first rak’a respectively. Abdullah ibn Abbas ؓ said: “The Prophet ﷺ said: ‘In (the prayer of Eid) Al-Fitr, one says ‘Allahu akbar’ seven times in the first rak’a, and five in the second, then recites (the Fatiha).’”<sup>3</sup> In Eid prayer, one should exclaim “Allahu akbar” aloud even if one is a follower or making it up. One should raise his hands shoulder level when exclaiming “Allahu akbar” and put his right hand over the left one below the chest after each “Allahu akbar.” It is recommended to say each “Allahu akbar” with one breath, and pause for as long as it takes to read an average-length ayah, saying to oneself “Glory be to Allah, praise be to Allah, there is no god but Allah, Allah is Greatest”<sup>4</sup> [45], and it is makrooh not to say it.

If the one praying gets doubtful of the number of times he said “Allahu akbar,” he should assume the lesser number. A follower should follow his imam whether he says “Allahu akbar” more or less than he should. A late comer should only say “Allahu akbar” as many times as he attends with the imam.

Takbir is not obligatory nor a main sunna. Takbir is missed if one, even absentmindedly, starts reciting the Fatiha. If one recalls that he forgot to exclaim “Allahu akbar” while bowing and returns to standing to perform it, though knowing that this is forbidden, it will invalidate his prayer.

The imam should then deliver two khutbas (sermons). Ibn Umar ؓ said: “The Messenger of Allah ﷺ, Abu Bakr, and Umar ؓ used to perform both Eid prayers before the khutba.”<sup>5</sup> Also, Abu Sa’id Al-Khadari ؓ said: “The Prophet ﷺ would go on the days of Al-Fitr and Al-Adha to the place of prayer, and he would begin first

<sup>1</sup> Muslim, Vol. 2, The Book of the Two Eids Prayer/7.

<sup>2</sup> Al-Nasa’i, Vol. 3, page 183.

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 251/1151.

<sup>4</sup> These are the *lasting good words* that have been agreed upon by most of the scholars of Al-Shafi’i (subhanallah wal hamdulillah wa la ilaha illallah wallahu akbar).

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of the Two Eids, Chapter 8/920.

with the prayer. Then, he would stand in front of the people while they sat in their rows, and would preach and advise them.”<sup>1</sup>

The two khutbas must be after the prayer for the above mentioned hadith of Abu Sa’id Al-Khadari رضي الله عنه. It is not valid for the imam to deliver the khutbas before prayer. The khutbas are like those of Friday prayer with respect to their pillars but not their conditions<sup>2</sup>.

The first khutba should be opened by pronouncing takbir nine times. The second khutba should be opened by pronouncing takbir seven times. It is recommended for the khatib to sit for a rest before the khutba for a time as long as the iqama. It is recommended for the khatib to teach the rules of Zakat Al-Fitr in Eid Al-Fitr and the rules of sacrifice in Eid Al-Adha.

If one enters during the khutba, then if the prayer is being held in the open air, he should sit to listen unless he fears missing the time of the Eid prayer, in which case he should perform Eid prayer. If the prayer is being held in a mosque, he can perform Eid prayer combined with the two rak’as of greeting-the-mosque.

It is recommended for people to listen to the khutba, though neither the khutba nor listening to it is a condition for the validity of Eid prayer. Yet, it is makrooh not to have a khutba, and to talk, or leave during it.

No khutba is recommended for a group of women praying together, unless a man comes to give them a khutba. Yet, there is no harm if one of them stands up to preach them.

Eid prayer does not take the place of *duha prayer*. In fact, duha prayer is recommended before or after Eid prayer. However, it is better to pray it before Eid prayer to avoid opposing the opinion of some scholars.

### **Recommended acts on the eve and day of Eid**

1. Spending the night of Eid in worship. Abu Umamah رضي الله عنه narrated that the Prophet ﷺ said: “One who stands (praying) on the two Eid nights in hope of the hereafter’s reward, his heart will not die when hearts die.”<sup>3</sup>
2. Making ghusl. The time for making ghusl is from the middle of the night before Eid until the end of that day. The best time for performing this ghusl is after the break of dawn. Ibn Abbas رضي الله عنه said: “The Messenger of Allah ﷺ used to make ghusl on the day of Al-Fitr and the day of Al-Adha.”<sup>4</sup> The support of this hadith is weak but it is strengthened by what has been narrated by Nafe’: “That Abdullah ibn Umar used to make ghusl on the day of Al-Fitr before going to the prayer.”<sup>5</sup> It is also strengthened by comparing Eid prayer to Friday prayer.

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Two Eids, Chapter 6/913.

<sup>2</sup> See Friday Prayer.

<sup>3</sup> Ibn Maja, Vol. 1, The Book of Fasting, Chapter 68/1782. This hadith is weak, yet it can be practiced for good deeds.

<sup>4</sup> Al-Muwatta, Vol. 1, The Book of the Two Eids, Chapter 1/2.

<sup>5</sup> Al-Muwatta, Vol. 1, The Book of the Two Eids, Chapter 1/2.

3. To clean, perfume, and beautify oneself. To dress up in one's best clothes, particularly what's white. This applies to every one, young or old, whether intending to go to Eid prayer or not.
4. Eating a light breakfast before going to the prayer of Eid Al-Fitr in order to distinguish that day from what came before it (Ramadan). It is recommended for the breakfast to be an odd number of dates. Anas رضي الله عنه narrated that the Prophet ﷺ never went (to prayer) on the day of Al-Fitr until he had eaten some dates, and he used to eat an odd number."<sup>1</sup> By contrast, it is recommended to withhold from eating breakfast before the prayer of Eid Al-Adha until one comes back from prayer so that he can eat from his sacrifice (if he intends to sacrifice an animal which is the common practice). Hence, generally speaking, it is recommended to postpone breakfast in Eid Al-Adha.
5. Setting off early to the Eid prayer, except for the imam who should arrive just at the beginning of the time. Abu Said Al-Khadari رضي الله عنه narrated that: "The Messenger of Allah ﷺ used to go out on the days of Al-Fitr and Al-Adha to the place of prayer, and the first thing he would begin with was the prayer."<sup>2</sup>
6. Walking to the prayer from one path and coming back from another. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If the iqama is called, do not run to the prayer, but walk."<sup>3</sup> This hadith is general and applies to every prayer for which a congregation is prescribed. Also, Jaber رضي الله عنه said: "On the day of Eid, the Prophet ﷺ used to return (after performing Eid prayer) through a road different from that by which he went."<sup>4</sup>
7. Performing prayer in a mosque since it is cleaner and more respectable unless it is too small to accommodate all the people, in which case the prayer is better performed in the open air.
8. Performing the prayer of Eid Al-Adha as soon as possible and delaying the prayer of Eid Al-Fitr. Abu Huwayreth رضي الله عنه narrated: "That the Messenger of Allah ﷺ wrote to Amr ibn Hazm in Najran: 'Hasten (the prayer of) Al-Adha and delay (the prayer of) Al-Fitr.'"<sup>5</sup> Furthermore, it is recommended to pay Zakat Al-Fitr before the prayer of Eid Al-Fitr. Whereas, in Eid Al-Adha it is recommended to slaughter the sacrifice animal after the prayer of the imam. Generally speaking, it is recommended to delay the prayer until after the sun rises.

### Takbir in the two Eids

Takbir is sunna in the two Eids. Its evidence in Eid Al-Fitr is Allah's ﷻ saying: "To complete the prescribed period, and to glorify Allah in that He has guided you to,"<sup>6</sup> and in Eid Al-Adha is Allah's ﷻ saying: "Celebrate the praises of Allah during the

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Two Eids, Chapter 4/910.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of the Two Eids, Chapter 6/913.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Friday, Chapter 16/866.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of the Two Eids, Chapter 24/943.

<sup>5</sup> Al-Bayhaqi, Vol. 3, page 282.

<sup>6</sup> Al-Baqara, 185.

appointed days.”<sup>1</sup> Al-Bukhari said: “Ibn Abbas said: ‘The appointed days are the Days of Tashriq.’”<sup>2</sup> There are two types of takbir, *restricted* and *unrestricted*:

1. *Unrestricted takbir*, which is not related to prayer. Its time is from sunset of the eve of Eid until the imam enters the mosque for Eid prayer. If one does not pray with the congregation, he can continue to do takbir until he prays. If one does not pray the Eid prayer, then his takbir should continue till close to the time of Thuhr.

This takbir is recommended for both men and women, residents and travellers, except for the pilgrim who should say “Labbayka allahumma labbayk” until he releases himself from ihram, because saying *talbiya* is the motto of a pilgrim as long as he is in ihram, and he may only do takbir after releasing himself from ihram. Al-Bukhari narrated in his chapter of takbir on the Day of Mina and when setting off to Arafat: “Umar رضي الله عنه during his stay at Mina used to do takbir in his tent (with such a loud voice) that the people in the mosque would hear it and they too would join in and the people in the market too would do the same and all of Mina would resound with the sound of takbir. During these days Ibn Umar would do takbir in Mina and after the (prescribed) prayers. And in bed, in his tent, sitting or walking. He would do so during all those days. And Maymuna would do takbir on the Day of Sacrifice. And, the women would do takbir after Aban ibn Uthman and Umar ibn Abdulaziz, along with the men in the mosque during the Nights of Tashriq.”<sup>3</sup> Takbir is more recommended whenever a person changes his activity such as when congregating, going, returning, or mounting (e.g. an animal). Takbir is valid in any situation or place, such as at homes, streets, and market places as indicated by the above mentioned hadith of Al-Bukhari.

It is recommended to raise one’s voice in takbir, except for women whose voices should be audible to themselves only, if there are non-mahram men around.

Takbir is the best thing one can do in these times. It is even more recommended than blessing the Prophet ﷺ, or reading sura Al-Kahf when Eid is on Friday.

2. *Restricted takbir*, is the takbir after prayers during Eid Al-Adha only. This is true whether the prayer is obligatory or recommended, a current prayer or a make up. It is not a must that takbir be immediately after the prayer and it is not missed by a long delay after prayer. Restricted takbir is superior to unrestricted takbir, because it is related to prayer.

<sup>1</sup> Al-Baqara, 203.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of The two Eids, Chapter 11.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of The two Eids, Chapter 12.

## The time for takbir

The time for restricted takbir starts on the morning of the day of Arafah and ends with sunset of the last Day of Tashriq. Takbir that takes place between sunset of the night before Eid Al-Adha and the Eid prayer is both restricted and unrestricted.

## The wording of takbir

The words of takbir are: "Allah is Greatest, Allah is Greatest, Allah is Greatest." [72] To be said in the same tone. It is valid to add to this anything that involves the remembrance of Allah such as: "There is no god but Allah. Allah is Greatest, Allah is Greatest. Praise be to Allah." [73] Al-Shafii said in his book Al-Umm: "I prefer the addition to be: 'Allah is Greatest. Much praise be to Allah. Glory to Him morning and evening. There is no god but Allah, and we worship none but Him with sincere devotion in spite of the disbelievers. There is no god but Allah alone. He fulfilled His promise, gave victory to His servant, and vanquished the Confederates alone. There is no god but Allah.'" [74] This is based upon the fact that the Prophet ﷺ said it on Safa. It is narrated by Muslim in his Sahih from Jaber ibn Abdullah ؓ in a more shortened version. It is also recommended to do takbir on the first ten days of Thul Hijjah. Al-Bukhari mentioned that Abu Hurayrah and Ibn Umar ؓ used to go out, on the first ten days of Thul Hijjah, to the market place doing takbir and the people would do takbir after them.

## Eclipse<sup>1</sup> prayer

### Definition

In Arabic, *kusouf* means the hiding or the changing of color to black. It is used for sun eclipse which usually occurs towards the end of lunar months.

*Khusouf* on the other hand means wiping out, or diminishing. It is used for lunar eclipse which usually occurs in the middle of lunar months.

### The legal status of eclipse prayer and its evidence

Solar and lunar eclipse prayers are confirmed sunnas. Aisha ؓ narrated that the Prophet ﷺ said: "The sun and the moon are two signs amongst the signs of Allah. They do not eclipse because of the death or birth of anyone<sup>2</sup>. So when you witness such an event, invoke Allah, pronounce takbir, and pray ..." <sup>3</sup> Also, Allah ﷻ says: "Adore not the sun and the moon, but adore Allah, Who created them. It is He you wish to serve."<sup>4</sup>

It is valid to perform the eclipse prayer individually, but it is recommended to perform it in congregation, and to call for it by announcing: "The prayer is gathering."

<sup>1</sup> Unlike English, there are two different words in Arabic for solar and lunar eclipse. Solar eclipse is called *kusouf* while lunar eclipse is called *khusouf*.

<sup>2</sup> The Prophet ﷺ said that after it was rumoured that the sun suffered an eclipse for the death of his son Ibrahim.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Eclipse, Chapter 2/997.

<sup>4</sup> Fussilat, 37.



[71] Abdullah ibn Amr رضي الله عنه said: "When the sun went into eclipse at the time of the Messenger of Allah ﷺ, an announcement was made: 'The prayer is gathering.'"<sup>1</sup> It is valid for one who has performed an eclipse prayer alone, to repeat it behind the imam if he catches up with him, just as is done in prescribed prayers.

It is recommended to do ghusl for it because it is a prayer for which both a congregation and a khutba are prescribed, just like the Friday prayer.

### The form of eclipse prayer

Both solar and lunar eclipse prayers have the same form: The minimum required for either is two ordinary rak'as like the sunna of Thuhr prayer. Qabisa Al-Hilali رضي الله عنه narrated that the Prophet ﷺ said: "... If you see that, then perform a prayer like the last prescribed prayer you have performed."<sup>2</sup>

One performs lunar eclipse prayer aloud while solar eclipse prayer should be performed silently. Ibn Abbas رضي الله عنه said: "And the Messenger of Allah ﷺ performed the prayer, and he stood up in prayer for a long time, about as long as it takes to recite sura Al-Baqara."<sup>3</sup> This indicates that the Messenger of Allah ﷺ did not pray aloud because had he prayed aloud, Ibn Abbas would have heard his reading and he would not have estimated the duration of the Prophet's ﷺ standing. Also, Samurah رضي الله عنه said: "The Prophet ﷺ led us in solar eclipse prayer and we did not hear his voice."<sup>4</sup> Aisha رضي الله عنها narrated: "The Prophet ﷺ performed eclipse prayer aloud."<sup>5</sup> The previous evidence indicates that solar eclipse prayer is recited to oneself because it is a daytime prayer while lunar eclipse prayer is recited aloud because it is a night prayer.

The minimum form of eclipse prayer is two rak'as, each comprising bowing twice, standing twice, and prostrating twice. One should lengthen the Quran recital, the bowing, and the prostrations. The evidence for this is the hadith narrated by Aisha رضي الله عنها in which she says: "The sun eclipsed in the life-time of Allah's Messenger ﷺ, so he led the people in prayer; and stood up for a long time then bowed for a long time. He stood again for a long time but shorter than the first. He bowed again for a long time but shorter than the first time, then he prostrated for a long time. He did the same in the second rak'a and then concluded the prayer; by then the sun (eclipse) had cleared. He delivered a khutba and after praising and glorifying Allah he said: 'The sun and moon are two signs of Allah; they do not eclipse for the death or birth of anyone. So when you see the eclipse make du'a, say takbir, pray, and give charity.' The Prophet ﷺ then said: 'O followers of Muhammad! By Allah! There is no one who has more self respect than Allah as He has forbidden that His servant, male or female, commit adultery. O followers of Muhammad! By Allah! If you know that which I know you would laugh little and cry a lot.'"<sup>6</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Eclipse, Chapter 3/998.

<sup>2</sup> Al-Nasa'i, Vol. 3, page 144.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Eclipse, Chapter 9/1004.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 397/562.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Eclipse, Chapter 19/1016.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Eclipse, Chapter 2/997.

The optimum form of eclipse prayer is as follows:

1. To make the intention specifically mentioning the name of the prayer.
2. To read the opening supplication.
3. To say ta'awuth (I seek refuge in Allah from the cursed Devil). [46]
4. To read the Fatiha.
5. To read a long sura such as Al-Baqara, in the first standing, as stated in the above mentioned hadith of Ibn Abbas رضي الله عنه.
6. To bow glorifying Allah, saying "My Lord Most Great is exalted above any limitation," for a period equal to reciting a hundred verses of Al-Baqara.
7. To rise from bowing and read at length, after the Fatiha, for a period equal to reciting Aal-Umran as mentioned in The Sunnas of Abu Dawood.<sup>1</sup>
8. To bow a second time and glorify Allah, saying "My Lord Most Great is exalted above any limitation." It is best to glorify Allah for as long as it takes to read eighty verses of Al-Baqara.
9. To straighten up from bowing, then prostrate twice and glorify therein for a length of time equal to the durations of the above mentioned bowings respectively.
10. In the second rak'a, one reads, after the Fatiha, a sura as long as Al-Nisa, then bows and says "My Lord Most Great is exalted above any limitation" as long as seventy verses of Al-Baqara. Then, rises up from bowing and reads, after the Fatiha, Quran equal in length to Al-Ma'ida, then bows and says "My Lord Most Great is exalted above any limitation" for as long as fifty verses of Al-Baqara. When prostrating, one should say "My Lord Most High is exalted above any limitation." One glorifies Allah in the two prostrations similarly.

After performing the eclipse prayer, it is recommended for the imam to give two khutbas, for the above mentioned hadith of Aisha رضي الله عنها. It is recommended to give two khutbas that are similar to the Friday khutba in components<sup>2</sup>. However, none of the conditions of Friday prayer applies to them except that they need to be heard, be in Arabic, and for the imam to be male.

In the two khutbas, the imam should urge people to repent and do plenty of good deeds, such as fasting, praying and donating to charity for the above mentioned hadith of Aisha رضي الله عنها. Asma' bint Abu Bakr رضي الله عنها also said: "The Prophet ﷺ ordered the people to free slaves during solar eclipse."<sup>3</sup>

### **When is the eclipse prayer missed**

The eclipse prayer is missed if one of two things occurs:

1. If one is certain that the whole of the sun's disk has re-appeared. Jaber رضي الله عنه narrated that the Prophet ﷺ said: "If you see (a solar eclipse), then pray till it re-

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayers, Chapter 263/1187.

<sup>2</sup> See the chapter of Friday prayer in this book.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Eclipse, Chapter 11/1006.

appears.”<sup>1</sup> Hence if part of the sun’s disk re-appears and the other part remains hidden, the eclipse prayer is not missed. Similarly, if one is not certain that the sun has re-appeared<sup>2</sup>, then one can pray. If the sun re-appears while praying, one should complete his prayer.

2. If the sun sets while in eclipse. Hence, one is not permitted to commence prayer if it is sunset time. However, if one is in prayer and the sun sets while in eclipse, he should complete his prayer.

The lunar eclipse prayer is missed if one is certain that all of the moon has re-appeared, or if the sun rises. However, if dawn breaks or the moon sets while in eclipse, the prayer is not missed.

It is recommended to pray two rak’as when fearing earthquakes, thunderstorms and the like. However, it is not recommended to pray them in congregation because such things occurred at the time of the Prophet ﷺ and it was not reported that he prayed any of them in congregation, except the eclipse prayer.

### **The prayer for rain (istisqa’)**

The Arabic word *istisqa’* means asking for water. In Shari’a, it means asking Allah ﷻ for rain. The basis of the legitimacy of asking for rain is the hadith narrated by Anas ibn Malek ؓ who said: “On Friday, a man entered (the mosque) through the door facing the minbar while the Messenger of Allah ﷺ was addressing us. The man stood across from the Messenger of Allah ﷺ and said: ‘O Messenger of Allah, the livestock is dying, and the roads are cut off, so ask Allah for rain.’ Anas added: The Messenger of Allah ﷺ raised his hands and said: ‘O Allah, send us rain. O Allah, send us rain. O Allah, send us rain.’ [75] Anas said: By Allah, there was not the trace of a cloud in the sky though there were no buildings or houses between us and the mountain of Sale’. Anas continued: A heavy cloud like a shield came from behind it (the mountain of Sale’) and when it reached the middle of the sky it spread and then rained. Anas further said: By Allah, we did not see the sun for six days. Then, on the following Friday, a man came through that same door while the Messenger of Allah ﷺ was delivering the khutba. The man stood in front of him and said: ‘O Messenger of Allah, properties have perished, and the roads have been cut, so ask Allah to withhold rain.’ Anas added: The Messenger of Allah ﷺ raised his hands and said: ‘O Allah, around us not upon us. O Allah, upon the hills, bluffs, and mountains, the valley floors and copses of trees.’ [76] Anas said: The rain stopped and we came out walking in the sun. Sharik said: I asked Anas: ‘Was he the same man?’ Anas answered: I do not know.”<sup>3</sup>

### **The different ways of praying for rain**

There are different ways of praying for rain:

<sup>1</sup> Muslim, Vol. 2, The Book of Eclipse, Chapter 3/10.

<sup>2</sup> Such as the case when there are thick clouds.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Asking-For-Rain, Chapter 5/967.

The minimum form of praying for rain is du'a without prayer, nor after prayer, individually or in congregation, in a mosque or otherwise. It is best done by virtuous people.

The better form is du'a after Friday prayer or other prayers, and in the Friday khutba and the like.

The best form is to ask for rain by performing two rak'as and giving two khutbas previously prepared for. This form of the prayer for rain is a confirmed sunna by many authentic hadith. Abbad ibn Tamim narrated that his uncle said: "That the Messenger of Allah ﷺ led the people outdoor to ask for rain and he led them in two rak'as in which he recited aloud, and he turned his cloak inside out, raised his hands and made du'a to Allah, and asked for rain and faced the qibla."<sup>1</sup> It is permissible to repeat this prayer more than once until it rains.

To prepare for the prayer for rain, the imam should address the people a few days ahead. He should admonish and remind them, order them to disengage themselves from any injustice, repent from all sins, reconcile fights, donate to charity, do good deeds, and fast three days<sup>2</sup> before the date of going out to prayer. Ibn Abbas ؓ said: "No nation ever cheated in weights and measures, but was afflicted with drought."<sup>3</sup> The imam then should go out with the people on the fourth day while they are fasting. Abu Hurayrah ؓ narrated that: "The Messenger of Allah ﷺ said: 'The du'a of three kinds of people do not go unanswered: A just ruler, a fasting (person) until he breaks his fast, and the victim of injustice.'"<sup>4</sup>

It is recommended for one who intends to go out for the prayer-for-rain to perform ghusl and use siwak, because it is a prayer for which a congregation and a khutba are recommended. However, it is recommended not to wear any perfume or elegant clothes, rather, one should go in his everyday workclothes. One should go walking feeling humble, pious, submissive, and needy to Allah. One should not use any means of transport in going to prayer, except if one is ill or the like. Ibn Abbas ؓ said: "The Messenger of Allah ﷺ went out in shabby clothes humbly and needily."<sup>5</sup>

It is recommended to drive out animals and to stand them apart from the people for Allah ﷻ may have mercy on them. Abu Hurayrah ؓ said: "I heard the Messenger of Allah ﷺ saying: 'One of the prophets went out to pray for rain and he came across an ant raising its legs toward the sky, so he said: Go back for your prayers have been answered thanks to an ant.'"<sup>6</sup>

It is makrooh to bring along non-Muslims, but it is less makrooh to bring along their children because, unlike the adults, their disbelief is not out of stubbornness. However, if non-Muslims come along anyway, they may not be turned away, yet it is makrooh for Muslims to mix with them (in standing).

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 258/1161.

<sup>2</sup> This fasting becomes obligatory if the imam gives the order to do so.

<sup>3</sup> Al-Bayhaqi, Vol. 3, page 347.

<sup>4</sup> Ibn Maja, Vol. 1, The Book of Fasting, Chapter 48/1752.

<sup>5</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 395/558.

<sup>6</sup> Al-Mustadrak, Vol. 1, page 325.

It is a definite sunna to pray for rain in the open, because the prophet ﷺ prayed for rain in the open, and because it is attended by most people, children, women in menstruation, animals, and others. Hence, out in the open is more spacious and comfortable.

Just like eclipse prayer, prayer-for-rain has neither athan nor iqama, but it is recommended to say: "The prayer is gathering." Abu Hurayrah رضي الله عنه said: "Once the Prophet ﷺ went out to pray for rain, and he performed two rak'as without athan or iqama, then he delivered a khutba to us and made du'a, and turned his face toward the qibla while raising his hands."<sup>1</sup>

### How to perform the prayer for rain

The prayer for rain is comprised of two rak'as like those of Eid prayer with respect to its opening supplication, making ta'wwuth, and saying takbir seven times in the first rak'a and five in the second. Talha said: "I was sent by Marwan to Ibn Abbas to ask him about the sunna of the prayer-for-rain. Ibn Abbas said: 'The sunna of the prayer for rain is like that of Eid, except that the Messenger of Allah ﷺ turned his cloak around putting the right side of it on his left and vice versa, and he prayed two rak'as, in the first of which he repeated takbir seven times and read Al-A'la, and in the second he repeated takbir five times and read Al-Ghashia.'"<sup>2</sup> One should raise one's hands whenever one says "Allahu Akbar" and recite aloud. It is best to read in these two rak'as what one reads in Eid prayer.

It is sunna for the imam to give two khutbas after the prayer. Abu Hurayrah رضي الله عنه said: "Once the Prophet ﷺ went out to pray for rain, and he performed two rak'as without athan or iqama, then he delivered a khutba to us ...."<sup>3</sup> The two khutbas of the prayer-for-rain are like those of Eid with respect to their rukns, conditions, and sunnas. However one asks Allah's forgiveness instead of saying "Allahu akbar" in the two khutbas. The imam starts the first khutba by asking Allah's forgiveness nine times, and the second by asking Allah's forgiveness seven times, saying: "I ask forgiveness of Allah Most Great, whom there is no god but He, the Living, the Ever Subsistent, and I turn to Him in repentance," [77] and closes his talk with plenty of asking Allah's forgiveness, so that it forms the most of his talk. He should also keep quoting Allah's saying: "Ask forgiveness of your Lord, verily He is oft-forgiving, and He will loose the sky upon you in torrents, aid you with wealth and sons, and make gardens and rivers yours."<sup>4</sup> It is recommended to make any supplication he desires in the first khutba, but it is best to say: "O Allah! Give us rain, abundant, wide-spread, producing herbage, bountiful, plentiful, pouring, encompassing, and continuous. O Allah give us rain and make us not of those who despair. O Allah, the servants and lands are in distress, hunger and want, from which we can ask none but You for relief. O Allah, make the crops grow and the milk of the livestock flow, and send down the sky's blessings upon

<sup>1</sup> Al-Bayhaqi, Vol. 3, page 347.

<sup>2</sup> Al-Darqutni, Vol. 2, page 66.

<sup>3</sup> Al-Bayhaqi, Vol. 3, page 347.

<sup>4</sup> Nooh, 10-12.

us. Raise from us the affliction that none but You can lift. O Allah, we ask Your forgiveness, verily You are oft-forgiving. Send us rain in abundance.” [78]

In the second khutba, it is recommended for the imam, to face the qibla, turn his cloak backwards and inside out. The people should do likewise, for Abdullah ibn Zaid Al-Ansari رضي الله عنه narrated: “That the Prophet ﷺ went to the prayer’s place to pray and when he made du’a to Allah, or wanted to make du’a, he faced the qibla and turned round his cloak.”<sup>1</sup> In a version narrated by Abu Dawood: “And he turned his cloak putting the right side of it on his left, and vice versa.”<sup>2</sup>

It is also recommended for the imam to supplicate in the khutba silently, in order to combine between supplicating aloud and silently, so that it is more likely to be accepted. When the imam makes du’a to himself, the people should make du’a silently as well, and when he makes du’a aloud they say ameen after him. It is recommended for everyone to make du’a at length, and to raise hands in doing so. Al-Shafi’i said: “Let part of their du’a in this case be: ‘O Allah, You ordered us to ask You and promised to answer our prayers. We asked You as You have ordered us so to answer our prayers as You have promised us. O Allah, forgive that which we have committed, answer our prayer by sending us rain, and expand our bounty.’” [79]

It is recommended for anyone who attends the prayer-for-rain to ask for intercession silently through one’s sincerest deeds, or through righteous people, especially the family of the Prophet ﷺ.

When it finally rains, one is recommended to make du’a by saying: “O Allah, make it abundant, benefitting, widespread, growth-producing rain. It has rained with the blessing of Allah!” [80] One can also ask for whatever one wishes.

When plenty of rain causes harm, one is recommended to say: “O Allah, around us, not upon us,” [81] for the above mentioned hadith narrated by Anas رضي الله عنه.

## Tarawih prayer

The tarawih prayer is comprised of twenty rak’as, prayed in pairs. It is prayed on each of the nights of Ramadan. In each pair of rak’as, one intends to pray tarawih or the *qiyam of Ramadan*. One starts each pair with the opening du’a. It is not valid to perform every four rak’as together finishing with one salam.

The time of tarawih extends from after Isha till the break of dawn- the same as witr. It is recommended to perform it before witr, and to read a complete chapter of Quran in it each day. Furthermore, a congregation is recommended for both tarawih and witr.

The evidence that tarawih prayer, and praying it in congregation, are sunna is what Aisha رضي الله عنها narrated: “The Messenger of Allah ﷺ went out in the middle of the night and prayed in the mosque and some men prayed behind him. The next morning, people spoke of this and (that night) a large number of them gathered and prayed behind him. The next morning the people spoke again of this and again that night the mosque was

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Asking-For-Rain, Chapter 19/982. The purpose of which is the favorable portent of a change of state. One switches his cloak in hope that the situation will change to one of fertility and prosperity.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 258/1163.

filled with a large number of people. The Messenger of Allah ﷺ came out (to the mosque) and the people prayed behind him. On the fourth night the mosque was overwhelmed with people and could not accommodate them, but the Prophet ﷺ came out (only) for Fajr. When he finished Fajr, he turned towards the people, recited tashahud, and said: 'Your presence was not unknown to me but I was afraid lest tarawih be enjoined on you and you might not be able to keep it up.' So, Allah's Messenger ﷺ died and the situation remained like that (people praying individually)."<sup>1</sup> The situation remained as such during the caliphate of Abu Bakr and first part of the caliphate of Umar رضي الله عنه. Umar رضي الله عنه then gathered the men to pray tarawih and appointed Abu Ka'eb رضي الله عنه as their imam<sup>2</sup>. He also gathered the women and appointed Sulaiman ibn Abu Huthma, as their imam. Uthman رضي الله عنه said during his caliphate, referring to Umar's action: "May Allah enlighten the grave of Umar as he has enlightened our mosques."

The evidence that tarawih is twenty rak'as is what Al-Sa'eb ibn Yazeed Al-Sahabi رضي الله عنه said: "They used to perform twenty rak'as in *qiyam* in the month of Ramadan, at the time of Umar ibn Al-Khattab رضي الله عنه. He added: They used to read those suras whose number of verses is greater than hundreds of verses, and used to lean on their sticks at the time of Uthman ibn Affan رضي الله عنه due to long standing."<sup>3</sup>

## II. Non-congregational sunna prayers

There are many sunna prayers for which a congregation is not recommended, such as:

### The midmorning (*duha*) prayer

Duha prayer is a confirmed sunna. The evidence for which is what Abu Al-Darda' رضي الله عنه said: "My beloved Prophet Muhammad ﷺ advised me to do three (things), I will never abandon all my life: To fast three days of every month, perform duha, and not to sleep unless I pray witr."<sup>4</sup>

### The time of duha prayer

The time of duha prayer begins when the sun rises by a spear's length into the sky, and ends just before it reaches its zenith. Its best time begins when a quarter of the day has passed. Zaid ibn Arkam رضي الله عنه narrated that the Messenger of Allah ﷺ said: "The prayer of the devoted is when the day gets hot."<sup>5</sup>

The minimum of duha prayer is two rak'as, and the least which is considered optimal is four, and the best is eight, for three hadith mentioned in Sahih Muslim (i.e. The Authentic Book of Muslim), one of which was narrated by Abu Tharr رضي الله عنه that the Messenger of Allah ﷺ said: "When one of you gets up in the morning charity is due upon every moving joint ... two rak'as of prayer offered in the midmorning equals all

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Tarawih Prayer, Chapter 1/1908.

<sup>2</sup> See Al-Bukhari, Vol. 2, The Book of Tarawih Prayer, Chapter 1/1906.

<sup>3</sup> Al-Bayhaqi, Vol. 2, Page 496.

<sup>4</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 13/86.

<sup>5</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 19/143.

this.”<sup>1</sup> The second hadith is narrated by Aisha ؓ who said: “The Messenger of Allah ﷺ used to pray four rak’as at midmorning and would add to them whatever Allah wished.”<sup>2</sup> The third hadith is narrated by Umm Hani’ ؓ who said: “That on *the day of the opening of Mecca* the Prophet ﷺ entered her house and prayed eight rak’as.”<sup>3</sup>

One should end every pair with salam, for Umm Hani’ ؓ narrated: “That on the day of the opening of Mecca the Prophet ﷺ performed eight rak’as of duha, and he finished with salam at the end of every two rak’as.”<sup>4</sup>

In duha prayer, it is recommended to read Al-Kafirun and Al-Ikhlās, then Al-Shams and Al-Duha.

## Awwabin prayer

In Arabic awwabin means the oft-returning to Allah ﷻ. Abu Hurayrah ؓ narrated that the Prophet ﷺ said: “One who prays six rak’as after Maghrib, without bad talk in between them, these rak’as will count for him as the worship of twelve years.”<sup>5</sup> Awwabin prayer is also called the prayer of negligence for people usually neglect it because they are busy having supper or the like.

The minimum of awwabin prayer is two rak’as, the average is six, and the maximum is twenty.

## Greeting the mosque prayer

The evidence for the two rak’as of greeting the mosque is the hadith narrated by Abu Qatada that the Messenger of Allah ﷺ said: “If one of you enters the mosque, then let him not sit till he prays two rak’as.”<sup>6</sup> It is permissible to pray more than two rak’as as long as they are joined together with one salam. It is makrooh for one to sit without greeting the mosque, provided it does not divert one from joining the congregational prayer. As for greeting Al-Haram Mosque, its greeting is making tawaf around the Ka’ba. It is makrooh to perform the two rak’as of greeting the mosque if a prescribed prayer is being held, or is about to be performed, in congregation. Abu Hurayrah ؓ narrated that the Prophet ﷺ said: “If prayer is established, then no other prayer (is to be performed) but the prescribed one.”<sup>7</sup> The reward for greeting the mosque is attained in this case because it is valid to combine greeting the mosque with another prayer, be it obligatory<sup>8</sup> or non-obligatory, even if one does not make the intention for greeting the mosque prayer.

Greeting the mosque is not recommended for the imam when he enters the mosque to deliver a khutba, other than at Al-Haram Mosque in which he has to greet the mosque by tawaf around the Ka’ba.

<sup>1</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 13/84.

<sup>2</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 13/79.

<sup>3</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 13/80.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 301/1290.

<sup>5</sup> Ibn Maja, Vol. 1, The Book of Establishing Prayer and Its Sunnas, Chapter 113/1167.

<sup>6</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 11/70.

<sup>7</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 9/63.

<sup>8</sup> However, this is not true for funeral prayer, nor the prostrations of Quran recital and thanks.



It is makrooh to enter into a mosque, at a time in which it is forbidden to perform prayers with the sole purpose of performing the two rak'as of greeting the mosque.

### **When will greeting-the-mosque prayer be missed**

Greeting the mosque prayer is missed if one sits intentionally, or absentmindedly then remembers after a long time has passed. Greeting the mosque prayer cannot be made up. If one absentmindedly, or out of ignorance, sits and then recalls after a short time, one may perform it. Jaber رضي الله عنه said: "Sulaik Al-Ghatafani came on Friday, while the Messenger of Allah ﷺ was sitting on the minbar, and he sat before praying, so the Prophet ﷺ said to him: 'Did you perform two rak'as?' Sulaik said: 'No.' The Prophet ﷺ said: 'Then stand up and perform them.'"<sup>1</sup>

### **Two sunna rak'as after performing wudu**

It is sunna to perform two rak'as after wudu, even if it is a renewal. Two rak'as are also recommended after ghusl and tayamum. This prayer is sunna even at times in which prayers are forbidden, because this prayer has an advanced reason which is the performance of wudu. Abu Hurayrah رضي الله عنه narrated: "At Fajr, the Prophet ﷺ said to Bilal: 'O Bilal! Tell me, which of your deeds is most auspicious (meritorious) after you accepted Islam, for I have heard your footsteps in Paradise ahead of me.' Bilal replied: 'I do not have any deed of mine more auspicious than that whenever I purify myself (have wudu or ghusl) during the day or night I pray as much as Allah had destined for me to pray.'"<sup>2</sup>

### **The prayer of tasabih**

The prayer of tasabih is four rak'as in which one does three hundred *tasbih* [45], and for this reason it is called the prayer of tasabih.

The way it is performed is described in the following hadith. Ibn Abbas رضي الله عنه narrated that the Messenger of Allah ﷺ said to Al-Abbas ibn Abdul Muttaleb رضي الله عنه: "O My uncle, Al-Abbas, shall I not grant you? Shall I not bestow upon you? Shall I not give you? Shall I not teach you ten things that if you do Allah will forgive you your sin, its first and last, its old and new, its unintentional and its purposeful, its small and big, its private and public: To pray four rak'as and read the Fatiha and a sura in each and, when you finish reading in the first rak'a, to say while standing: 'Glory be to Allah. Praise be to Allah. There is no god but Allah. Allah is Greatest,' [45] fifteen times. Then you bow and say it ten times while bowing. Then raise your head from bowing and say it ten times. Then you fall to prostrating and say it ten times while prostrating, then raise your head from prostration and say it ten times, then prostrate and say it ten times, then raise your head and say it ten times. This makes them fifty seven in each rak'a. You do that in the four rak'as. If you can perform it once a day then do so,

<sup>1</sup> Muslim, Vol. 2, The Book of Friday, Chapter 14/58.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Night Vigil Prayer (tahajjud), Chapter 17/1098.

otherwise once a week, otherwise once a month, otherwise once a year, otherwise once in a lifetime.”<sup>1</sup>

Al-Taj Al-Sibki said: “No one hears of the great excellence of the prayer of tasabih and leaves it except one who is negligent of religion.”

## **Two rak’as before entering ihram for hajj or umra**

Two rak’as are recommended before entering ihram for hajj or umra. Ibn Umar رضي الله عنه narrated that: “The Messenger of Allah ﷺ used to perform two rak’as at Thul Hulayfa.”<sup>2</sup>

## **Two rak’as after tawaf**

It is sunna to pray two rak’as after tawaf. Jaber رضي الله عنه narrated a long hadith about the description of the hajj of the Prophet ﷺ: “... Then he came to the Site of Ibrahim عليه السلام and read: ‘...And take ye the Site of Ibrahim as a place of prayer.’”<sup>3</sup> This is an indication that his ﷺ prayer after tawaf is in obedience to that order. The Prophet ﷺ used to perform them persistently.

## **Guidance prayer**

Jaber رضي الله عنه said that: “Allah’s Messenger ﷺ used to teach us the guidance prayer for all matters, as he would a sura of the Quran, saying: ‘When one of you is about to do something, pray two non-obligatory raka’s and say: ‘O Allah, I ask You to show me what is best through Your knowledge, and bring it to pass through Your power, and I ask You of Your immense favor, for You are all-powerful and I am not, You know and I do not, and You are the Knower of the Unseen. O Allah, if You know this matter to be good for me in my religion, livelihood - and the consequence of my affairs or perhaps he said: The short and long term of my case- then bring it about and facilitate it for me, and bless me with abundance therein. And if You know this matter to be bad for me in my religion, livelihood, and final outcome- or perhaps he said: The short and long term of my case- then turn it away from me, and turn me away from it, and bring about the good for me whatever it may be, and make me pleased with it, [82] and then one should mention the matter at hand.’”<sup>4</sup>

In the first rak’a, it is recommended to read, after the Fatiha, sura Al-Kafirun, and in the second rak’a Al-Ikhlās. After the prayer, one chooses what he feels comfortable with. If he does not feel comfortably inclined towards either, he may repeat the prayer until he feels comfortable. It is said that one can repeat it seven times, and if he still cannot distinguish anything, he can go ahead with the matter and the ease with which it gets done is a sign of its being good.

<sup>1</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 303/1297.

<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 3/21.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>4</sup> Al-Bukhari, Vol. 1, The Chapters of Voluntary Prayers, Chapter 1/1109.

## The prayer of need

Abdullah ibn Abu Oufa رضي الله عنه said: "The Messenger of Allah ﷺ said: 'If one is in need of Allah, or a human being, for a matter, then let him make proper wudu and perform two rak'as, praise Allah, bless the Prophet ﷺ and say: There is no god but Allah, the Patient, the Generous. Allah, Lord of the throne, is exalted above any limitation. All praise be to Allah, Lord of the worlds. O Allah, I ask You that which invokes Your mercy, Your forgiveness. (I ask) safety against every sin and the gain of every virtue. O Allah, forgive all my sins, drive away all my worries, fulfill all my needs that please You, for You are the Most Merciful of the merciful.'" <sup>1</sup> [83]

## Two rak'as when setting off for travel

These should be performed at home, for Abdullah ibn Mas'oud رضي الله عنه said: "A man came to the Prophet ﷺ and said: 'O Messenger of Allah, I want to set off for Bahrain for trade.' The Messenger of Allah ﷺ said: 'Pray two rak'as.'" <sup>2</sup>

## Two rak'as when coming back from prayer

These should be done in the mosque, for Ka'b ibn Malek رضي الله عنه narrated that: "The Messenger of Allah ﷺ would always come back from a trip in the daytime at midmorning, and when he arrived he would go first to the mosque and pray two rak'as then stay there." <sup>3</sup>

## Voluntary prayer

Voluntary prayer is one which is not bound by time or reason and is wholly a supererogatory prayer. There is no limit to voluntary prayer nor to the number of its rak'as. One may intend a particular number of rak'as, or may not intend any number but just make the intention of prayer. If one begins a voluntary prayer without specifying the number of rak'as in his intention, he may end his prayer, with salam after one rak'a, or he may add to this and pray two, three, ten, a thousand or any other number of rak'as. One can also pray less rak'as than he intended at the beginning of prayer, provided one changes his intention before praying more, or less, rak'as. One's prayer is valid even if one does not know how many rak'as he has prayed.

If one performs only one rak'a, he still has to read the testification of faith at its end. If one performs more than one rak'a, even a thousand, with one opening takbir and one salam he still may perform only one tashahud at the end of prayer, which is a must anyway, or he may say the testification of faith in the last rak'a and the one before it only, or he may say it every two, three, four, six, or any number of rak'as. Aisha رضي الله عنها narrated: "That the Messenger of Allah ﷺ used to pray thirteen rak'as at night, and he would pray with in the last five of these not sitting for tashahud in any but the last." <sup>4</sup> In another hadith narrated by Aisha رضي الله عنها, she says: "And he would pray nine rak'as and not

<sup>1</sup> Al-Tirmithi, Vol. 2, The Chapters of prayer, Chapter 348/479.

<sup>2</sup> Majma' Al-Zawa'id, Vol. 2, page 283. Narrated by Al-Tabarani in Al-Kabir.

<sup>3</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 12/74.

<sup>4</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 17/123.

sit in any but the eighth in which he would mention Allah, praise Him, and supplicate to Him, then he would stand up, without saying salam, perform the ninth, then he would sit and mention Allah, praise Him and supplicate to Him, then he would say salam aloud so that we would hear it, after which he would pray two rak'as ..."<sup>1</sup>

In voluntary prayer, be it in the day or night, it is best to make salam every two rak'as. Ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "The prayer, of day or night, is done in pairs."<sup>2</sup>

Voluntary prayer at night is better than in the daytime. The best of night prayer is tahajud<sup>3</sup>, Allah ﷻ says in his description of the believers: "They were in the habit of sleeping but little at night,"<sup>4</sup> because it is done at a time of inattentiveness and lack of good deeds, and finally because prayer after having slept is more difficult.

Many hadith encourage one to pray tahajud, such as the hadith narrated by Abu Hurayrah رضي الله عنه that the Prophet ﷺ said: "The best prayer after the prescribed prayer is *night prayer*."<sup>5</sup> Also, Jaber رضي الله عنه said: "I heard the Prophet ﷺ saying: 'There is an hour at night, which if witnessed by any Muslim man asking Allah something of the good of this world or the Hereafter, Allah will give it to him. This is true every night.'"<sup>6</sup> Abu Umama رضي الله عنه narrated that the Messenger of Allah ﷺ said: "I recommend to you the night prayer, for it is the habit of the virtuous, that brings you close to your Lord, atones bad deeds, and prevents sin."<sup>7</sup>

The prayer of night is a confirmed sunna. It is best when performed in the middle of the night for one who divides the night into three thirds<sup>8</sup>. Abdullah ibn Umar رضي الله عنه narrated that the Messenger of Allah ﷺ said: "The most beloved prayer to Allah is the prayer of Dawood who used to sleep half the night, pray one third of it, and sleep the (remaining) one sixth."<sup>9</sup> Night prayer can either be wholly voluntary, witr, making up for prayer, or vowed prayer.

### Recommended acts for one who prays tahajud

1. To take a nap or to rest before noon time. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "Seek help for your fasting in suhoor (eating before dawn) and seek help for your night prayer by taking a nap during the day."<sup>10</sup>
2. To make a decisive intention to wake up for tahajud before sleep. This is to attain the reward mentioned in the hadith narrated by Abu Al-Darda' that the Prophet ﷺ said: "If one of you goes to bed with the intention of waking up to pray at night,

<sup>1</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 18/139.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 302/1295.

<sup>3</sup> Praying at night after having slept.

<sup>4</sup> AL-Thariyat, 17.

<sup>5</sup> Al-Tirmithi, Vol. 2, The Chapters of Prayer, Chapter 324/438.

<sup>6</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 23/166.

<sup>7</sup> Al-Tirmithi, Vol. 5, The Book of Supplications, Chapter 102/3549.

<sup>8</sup> Anytime after Isha prayer is part of the night, even if Isha prayer has been advancedly joined (with Maghrib prayer).

<sup>9</sup> Ibn Maja, Vol. 1, The Book of Fasting, Chapter 31/1712. The support for this hadith is weak but it can be relied upon because it is about good deeds.

<sup>10</sup> Ibn Maja, Vol. 1, The Book of Fasting, Chapter 22/1693.

then is overcome by sleep and does not wake up till morning, he is rewarded for what he had intended. And his sleep is a gift from Allah ﷻ to him.”<sup>1</sup>

3. To ‘wipe away sleepiness’ from one’s face when one wakes up, and to use siwak and look into the sky and read the verses at the end of Aal-Umran: “Behold ! In the creation of the heavens and the earth ...”<sup>2</sup> Ibn Abbas ؓ narrated that: “Once I spent the night in the house of Maymuna (his aunt), ... The Prophet ﷺ slept till midnight or nearly so and woke up wiping the sleep from his face and reciting ten verses from Aal Umran.”<sup>3</sup>
4. To wake up one’s spouse and family when one wakes up for tahajud. Abu Hurayrah ؓ said: “The Messenger of Allah ﷺ said: ‘May Allah have mercy on a man who gets up at night and prays and wakes up his wife, and if she refuses sprinkles water on her face. May Allah have mercy on a woman who gets up at night and prays and wakes up her husband and if he refuses sprinkles water on his face.’”<sup>4</sup> This is also recommended for anyone (not only a husband and wife).
5. To start tahajud with two rak’as. Aisha ؓ said: “When waking up at night to pray, the Prophet ﷺ used to begin with two brief rak’as.”<sup>5</sup>
6. One can read aloud, silently, or softly, as appears in the hadith concerning this, such as the hadith narrated by Abu Hurayrah ؓ who said: “The Prophet’s ﷺ reading at night was loud sometimes and soft other times.”<sup>6</sup> Also, Abu Qatada ؓ narrated: “That the Prophet ﷺ said to Abu Bakr ؓ: ‘O Abu Bakr, I passed by you while you were praying in a soft voice.’ Abu Bakr said: ‘O Messenger of Allah, I have made that whom I was addressing hear me.’ Abu Qatada said: And he ﷺ said to Umar ؓ: ‘I passed by you while you were praying and raising your voice.’ Umar said: ‘O Messenger of Allah: This way, I awaken the sleepy and expel Shaytan.’ The Prophet ﷺ said: ‘O Abu Bakr raise your voice slightly,’ and he said to Umar: ‘Lower your voice slightly.’”<sup>7</sup>
7. To do much du’a and *istighfar* (asking of Allah’s forgiveness), for Allah ﷻ says: “And in the hours of early dawn they (were found) praying for forgiveness.”<sup>8</sup>
8. To stop praying when one feels sleepy and lie down until one’s sleepiness passes. Aisha ؓ narrated that the Prophet ﷺ said: “If one of you feels sleepy during the prayer, let him lie down (have a nap) till he no longer feels sleepy, for if one of you prays while feeling sleepy he may curse himself instead of asking for Allah’s forgiveness.”<sup>9</sup>

<sup>1</sup> Al-Nasa’i, Vol. 3, page 258.

<sup>2</sup> Aal Umran, 190.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Witr, Chapter 1/947.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 307/1308.

<sup>5</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 26/197.

<sup>6</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 315/1328.

<sup>7</sup> Abu Dawood, Vol. 2, The Book of Prayer, Chapter 315/1329.

<sup>8</sup> Al-Thariyat, 18.

<sup>9</sup> Al-Bukhari, Vol. 1, The Book of Night Vigil Prayer, Chapter 19/1101.

## What is makrooh for one praying tahajjud

1. To leave or decrease his habitual tahajjud. Abdullah ibn Amr ibn Al-Aas رضي الله عنه said: "The Messenger of Allah ﷺ said: 'O Abdullah ! Do not be like so-and-so who used to pray at night then left the night prayer.'" <sup>1</sup> Therefore, it is recommended for one to make habit of an amount of nightly prayer he feels certain he can keep up throughout his life. Aisha رضي الله عنها said, about the Prophet ﷺ that: "He was regular and constant in his worship." <sup>2</sup>
2. To always spend the whole night in prayer. Anas ibn Malek رضي الله عنه narrated that the Messenger of Allah ﷺ said: "I fear Allah more than all of you, and I am more conscious of my duty to Him than all of you yet I fast and there are days I don't, I offer prayers at night and sleep as well, and I marry women. This is my way of living. Whoever turns away from my practices (sunna), does not belong to me." <sup>3</sup> Also, this will harm the eyes and the rest of the body, and to make up during the day the hours one missed at night, would cause the loss of a great deal of good deeds for his religion and livelihood. However, it is not makrooh to spend the whole of some nights in prayer for Aisha رضي الله عنها said: "That when the last ten days of the month of Ramadan began, the Prophet ﷺ used to stay awake (in worship) the whole night and he would also awaken his family members and tighten his belt" <sup>4</sup> <sup>5</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Night Vigil Prayer, Chapter 19/1101.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 63/1886.

<sup>3</sup> Al-Bukhari, Vol. 5, The Book of Marriage, Chapter 1/4776.

<sup>4</sup> i.e. He was most assiduous in praying to Allah, or it may mean that he would avoid having sexual relation with his wives.

<sup>5</sup> Al-Bukhari, Vol. 2, The Book of Tarawih, Chapter 6/1920.

# CONGREGATIONAL PRAYER (JAMA'A)

## Definition of jama'a

**Linguistically:** Jama'a means congregation.

**Legally:** Connecting the prayer of the follower to the prayer of the imam.

## Excellence of congregational prayer

Abdullah ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "Reward for prayer offered in congregation is twenty seven times more than the reward of prayer offered alone," and in another narration "is twenty five times more."<sup>1</sup>

## Legal status of congregational prayer

1. Congregational prayer is a communal obligation, for the five prescribed prayers, upon all male non-travellers (unless they have an excuse or have nothing to cover their awra with). Abu Al-Darda' رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'If there happen to be (even) three persons in a village or desert for whom no congregational prayer is established, Shaytan will surely dominate them. Hold on to congregational prayer, for the wolf devours the lone sheep.'"<sup>2</sup> His saying "For whom no congregational prayer is established" indicates that congregational prayer is a communal obligation, for if it was a personal obligation he would have said: "Who do not pray in congregation."

When establishing congregational prayer it is a necessary condition that the rite of the prayer be public. Therefore, in a small town, it is enough to perform congregational prayer in one public place whereas in a large town or city, the prayer must be held in many public places. If held in houses where the emblem of prayer is not public, the communal obligation remains unfulfilled. If people refuse to hold it in public they should be fought for that.

2. Congregational prayer is a confirmed sunna in tarawih, witr of Ramadan, Eid prayers, the eclipse prayer (both solar and lunar), and the prayer-for-rain.
3. Congregational prayer is sunna when making up prayers in which the imam and followers are performing the same type of prayer, such as if the follower and imam miss the same prescribed prayer. Abu Hurayrah رضي الله عنه narrated: "On the way back from *the battle of Khaybar*, the Messenger of Allah ﷺ spent all night walking until the last part of the night when he was overwhelmed by sleepiness and camped to

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 2/619.

<sup>2</sup> Al-Nasa'i, Vol. 2, page 106.

sleep... and the Messenger of Allah ﷺ, Bilal, and all his companions did not awaken till the sun struck them with its heat. The Messenger of Allah ﷺ was the first to get up, he shouted alarmed to Bilal: 'O Bilal!' Bilal said: 'O Messenger of Allah, I sacrifice my father and mother for your sake, that which took hold of you (sleep) took hold of me.' Allah's Messenger ﷺ said to his companions: 'Ride your camels.' So they did for a short distance then Allah's Messenger ﷺ performed wudu, ordered Bilal to give the call of iqama, and lead them in Fajr prayer. When the prayer was finished, he ﷺ said: 'When any of you forgets the prayer, then let him pray as soon as he remembers, for Allah ﷻ says: Perform the prayer for My remembrance.'"<sup>1</sup>

4. Congregational prayer is sunna for women who are not attractive if their husbands permit them, and it is recommended when they are unlikely to cause temptation or be tempted, provided they wear no fancy clothing or perfume when they go to the mosque to pray with men. Abu Hurayrah ﷺ narrated that the Messenger of Allah ﷺ said: "Do not forbid women the mosques of Allah, but let them go wearing no perfume."<sup>2</sup> The demand for congregational prayer (in the mosque) is stronger for men than for women for whom prayer in congregation at home is better than at the mosque. Ibn Umar ﷺ narrated that the Messenger of Allah ﷺ said: "Do not forbid women the mosques, yet praying at home is better for them."<sup>3</sup>

The evidence that praying in congregation is recommended for women is the hadith narrated by Umm Waraqa ﷺ, in which she said: "That the Messenger of Allah ﷺ used to visit her at her home... and he ordered her to lead the members of her family in prayer."<sup>4</sup> Also, Rayta Al-Hanafia narrated: "Once, Aisha led us in a prescribed prayer and she stood in our midst,"<sup>5</sup> and Hajira narrated: "Once, Umm Salama led us in Asr and she stood amid us."<sup>6</sup>

5. It is makrooh for attractive women to go to the mosque to attend the congregational prayer for fear of temptation. Wearing perfume is like beauty since both arouse men. Aisha ﷺ said: "Had the Messenger of Allah ﷺ seen what women do now, he would have forbidden them access to the mosque as the Jewish women were forbidden."<sup>7</sup>
6. It is not sunna to perform the regular sunna prayers, duha, and witr (other than in Ramadan) in congregation. Any non-obligatory prayer for which congregation is not recommended, is better to be done at home. Zaid ibn Thabit ﷺ narrated that the Prophet ﷺ said: "O people! Pray at home for, with the exception of the prescribed prayers, the best prayer is that which performed at home."<sup>8</sup>

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 55/309.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 53/565.

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 53/567.

<sup>4</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 62/592.

<sup>5</sup> Al-Darqutni, Vol. 1, page 404-405.

<sup>6</sup> Al-Darqutni, Vol. 1, page 404-405.

<sup>7</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 79/831.

<sup>8</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 52/698.



## How congregational prayer is established

The minimum required number for congregational prayer is two persons. Malek ibn Al-Huwairith رضي الله عنه said: "I came to the Prophet ﷺ along with a friend of mine, and before leaving he said to us: 'When the prayer's time is due, call the athan then the iqama, and the older of you should lead the prayer.'"<sup>1</sup> One can attain the reward of congregational prayer by praying with any member of one's family (one's wife), whether the congregation is large or small, though it is preferred to pray with a large number of people except in some cases which will be discussed later. Ubbai ibn Ka'b رضي الله عنه narrated that the Messenger of Allah ﷺ said: "One praying with another person is better than one praying alone, and one praying with two is better than one praying with one, and to increase the number is more beloved to Allah Most High."<sup>2</sup>

As for prescribed prayers, it is better to perform them at the mosque than at home or any place other than the mosque, because people are more likely to gather there. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "He who purifies himself at home and then goes to one of the houses of Allah (mosques) to perform a prescribed prayer, his one step towards the mosque wipes out a sin and the other step raises him a level."<sup>3</sup> Furthermore, praying in mosques where large numbers of people gather is better, for the above mentioned hadith of Ubbai ibn Ka'b رضي الله عنه.

Praying with a small (rather than a large) congregation is preferred in the following cases:

1. When the imam of the large congregation is immoral or has reprehensible beliefs such as being a *Mu'tazilite*<sup>4</sup>. Jaber ibn Abdullah رضي الله عنه narrated: "Once the Messenger of Allah ﷺ addressed us and said: 'A woman should not lead a man in prayer, a Bedouin should not lead a *Muhajir*, and one corrupt should not lead a believer.'"<sup>5</sup> Also, when the imam of the large congregation considers some obligatory acts of prayer as recommended, such as a Hanafi leading a Shafi'i.
2. When the imam of the smaller congregation performs the prayer at the time of excellence whereas others do not.
3. If the larger congregation is praying in a questionable land, whereas the land of the small congregation is not.
4. If going to the large congregation will make congregational prayer impossible at the smaller nearby mosque.

If there is no congregation other than that whose imam is heretic or the like, one may pray behind this imam because that is still better than praying alone. Abu Hurayrah رضي الله عنه narrated: "The Prophet ﷺ said: 'The prescribed prayer should be performed in

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 53/293.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 48/554.

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 51/282.

<sup>4</sup> A philosophical school that subjected the fundamentals of Islam to philosophical theories.

<sup>5</sup> Ibn Maja, Vol. 1, The Book of Establishing the Prayer and its Sunna Acts, Chapter 78/1081.

congregation whether or not the imam is faithful, and even if he commits serious sins<sup>1</sup>.”<sup>2</sup>

## Getting the merit of congregational prayer

If one joins the congregation before the imam finishes the first salam, one has attained the merit of the congregational prayer<sup>3</sup>. But, if one joins the congregation after the imam has begun the first salam, his prayer is considered individual prayer.

One attains the reward of the opening takbir if one says it just after the imam provided that one was present when the imam was saying it. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: “The imam is to be followed so do not lag behind him. When he exclaims “Allahu akbar” do so...”<sup>4</sup> The hadith in Arabic indicates that it is obligatory to say “Allahu akbar” immediately after the imam. Therefore, if one delays (saying it), even in the interest of the prayer (such as making wudu), and does not witness the imam’s opening takbir, one has missed its merit.

## Conditions for the validity of congregational prayer

### Conditions the imam must satisfy so that it is valid to follow him

1. The imam’s prayer should be valid according to the follower’s view. If the follower knows, before joining the congregation, that the imam’s prayer is not valid<sup>5</sup>, he should not follow this imam. But, if he finds out while praying behind the imam, he should intend to part, for if he does not his prayer becomes invalid because he has linked it to an invalid prayer. If he does not realize until after the prayer, his prayer is valid and he need not re-do it, and he attains the merit of the congregational prayer. Once Umar رضي الله عنه led the people in prayer while in a state of janaba, he re-performed his own prayer but did not instruct people to repeat theirs<sup>6</sup>. If one knew before joining the congregation, but forgot and followed the imam, then after finishing the prayer remembered, he should repeat the prayer because forgetfulness is no excuse. If two persons disagree when using their personal reasoning on the direction of the qibla or whether the water, place, or clothing are pure or not, then

<sup>1</sup> Such as adultery.

<sup>2</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 64/594.

<sup>3</sup> This is true for prayers other than Friday prayer in which one is not considered to have performed it and does not attain the merit of the congregational prayer unless he performs a complete rak’a behind the imam, because praying in congregation is a necessary condition for the validity of Friday prayer.

<sup>4</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 19/86.

<sup>5</sup> Because the imam was in a state of minor or major hadath, had a najasa upon him that was concealed, intentionally changed a short vowel of the Fatiha or other sura altering the meaning, blurted out words unthinkingly while reciting the Fatiha but did not return to recite it correctly, or he was able to learn in properly but did not, knowing that it is forbidden.

<sup>6</sup> Al-Bayhaqi, Vol. 2, page 400.

each of them believes that the prayer of the other is invalid therefore following each other's leadership is invalid too.

2. The imam's prayer should be valid according to the follower's school. If the imam is Hanafi and the follower (who is Shafi'i) knows that the imam has omitted an obligatory act of wudu, such as the intention or performing the acts in their proper order, then the imam's prayer is not valid according to the follower's school and as a consequence it is not valid to follow his leadership<sup>1</sup>.
3. That the imam's prayer is not one that needs to be repeated later, for any reason (such as performing tayamum in a place where water is generally available or because of very cold weather, whereas the follower has performed wudu).
4. That the imam is definitely not following the leadership of another imam because in this case he is a follower who cannot be followed at the same time. If one intends to follow the leadership of a follower or thinks that he is the imam, such as if one sees two men praying together and it happens that they are standing in reverse to the recommended way of standing (the follower is standing to the imam's left side), and concludes that the one standing to the left is praying alone so he follows him, his prayer is invalid. If one enters the mosque and finds someone praying and follows him then it turns out that this person is a latecomer whose imam finished before him, then his prayer is valid whether he finds out that his imam is a follower during or after the prayer or doesn't find out at all.
5. That the imam is not one who does not know all of the Fatiha, whether he does not have it memorized or has it memorized except for one letter, or does not stress a letter that should be stressed because of a weakness of the tongue, or whether he is mute or not. Prayer is not valid behind someone who slurs his letters so that they are not distinct from one another, or someone with a lisp, though they can lead those who have the same problem provided that the imam and the follower both mispronounce the same letter<sup>2</sup>. If the imam mispronounce letters that not of the Fatiha then his leadership is valid.
6. That the imam is not less than the follower in maleness. Therefore, it is not valid for a woman to lead men or hermaphrodites, a hermaphrodite to lead men, or a hermaphrodite to lead another hermaphrodite<sup>3</sup>, whereas it is valid for a man to lead men, a hermaphrodite to lead women, and a woman to lead women.

<sup>1</sup> The intention and performing the obligatory acts of wudu in their proper order are both sunna according to Hanafi school whereas obligatory according to the Shafi'i school. Therefore, a Hanafi imam should take them into consideration and not neglect them when performing wudu.

<sup>2</sup> If both the imam and the follower mispronounce the letter (ح) of the Fatiha but one substitutes it with (ع) whereas the other with (ج), then leadership of one another is valid. But if one mispronounces the letter (ح) and the other (س), then the leadership of one another is not valid.

<sup>3</sup> Because it is not known which one of them is the male and which the female.

## Conditions the follower must fulfill for his following to be correct

1. That the follower's heel, seat, side, and head be not ahead of the imam's if the follower is praying standing, seated, lying on his side, or lying on his back, respectively. This does not apply to the prayer of extreme fear, where congregational prayer is valid and better than praying alone even if the follower is ahead of the imam, nor when praying around the Ka'ba, where it does not matter if someone is closer to the Ka'ba than the imam as long as he is not on the imam's side.

If the imam and the follower are adjacent to each other (in the same row), the prayer is valid though this is makrooh and they do not attain the merit of congregational prayer<sup>1</sup>. Also if the follower moves simultaneously with the imam in some of the prayer's actions or verbal sunnas that should not be simultaneous. As mentioned in the hadith of Abu Hurayrah "...If he says 'Allahu akbar' then say 'Allahu akbar,' and if he bows then bow, and if he says 'Allah hears whoever praises Him' then say 'Our Lord, all praise is Yours...'"<sup>2</sup> The word "then" indicates that one should perform the prayer's actions just after the imam's and not simultaneously.

It is recommended that the follower stands behind the imam not more than three *thira's* (1.44 meters) otherwise the merit of congregational prayer is lost. Abu Sa'id Al-Khadari رضي الله عنه narrated: "Once the Prophet ﷺ noticed his companions standing towards (close to) the back rows, so he said to them: 'Come forward and follow me, and let those who come afterwards stand behind you. People keep lagging behind until Allah leaves them behind.'"<sup>3</sup>

If the imam is leading a single follower, man or boy, then it is sunna that the follower stands on the imam's right and a little farther back than him. If the follower stands on the imam's left or behind him then it is recommended that he moves to the imam's right avoiding actions which invalidate the prayer. If the follower does not move then it is recommended for the imam to move him. Ibn Abbas رضي الله عنه narrated: "Once I spent the night at Maymuna's -his aunt- house and the Prophet ﷺ was there that night. He ﷺ performed wudu then stood to pray. I joined him and stood on his left so he pulled me and put me on his right."<sup>4</sup> However, if the follower stays on the imam's left or behind him then his prayer is valid, though it is makrooh to do so.

If two followers arrive, two men, two boys, or a man and a boy, the imam moves forward and they form a row behind him, or they move back (while the imam still in place) which is better, because when the Prophet ﷺ once prayed in Maleeka's

<sup>1</sup> When one performs an act that is makrooh when praying in congregation, one misses the merit of congregational prayer.

<sup>2</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 19/86.

<sup>3</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 28/130.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 30/666.

house, Anas's ﷺ grandmother, he aligned Anas and the orphan in a row behind him and the old woman in a separate row behind them<sup>1</sup>.

If from the beginning the imam is leading two men, they form a row behind him, for Samura ibn Jundab ﷺ narrated: "The Messenger of Allah ﷺ instructed us that if three of us are praying together then one should stand in front."<sup>2</sup> A woman or a group of women stand in a separate row behind the imam's and men's rows. Anas ﷺ narrated "That once the Prophet led him and his mother, or aunt, in prayer. Anas said: He made me stand on his right and the woman in a separate row behind us."<sup>3</sup>

When there are men, boys, and women present, the men form the front row, then the boys unless they are standing in the first row, and then the women. It is sunna for boys not to stand directly behind the imam even if they joined the row first, in fact they should be moved. Abu Mas'oud ﷺ narrated: "The Messenger of Allah ﷺ used to place his hands over our shoulders when we were lining up for prayer and say: 'Make your rows straight and do not differ among yourselves, otherwise your hearts will be in discord with each other. Let those be nearest to me who are of age and possess knowledge, then those closest to them in these respects, and then those who are closest to them.'"<sup>4</sup> That is because the imam sometimes may be forced to leave the prayer, in which case the one praying directly behind him steps forward and takes his place. However, if the boy present in the front row is the most learned and has memorized the most Quran then no one should remove him from the place he got to first, rather he takes precedence over one ignorant even if older.

A woman leading women in prayer stands in the middle of their first row, for it has been narrated that Aisha and Umm Salama ﷺ led the women in prayer and stood in the middle of the first row.

If a latecomer to a congregational prayer finds a gap or a space in a row, he may fill it and he is entitled to pass through the rows before it if they are complete to fill the gap in the row in front because people in the row before it are at blame for not filling the gap. If he finds no gap or space in any row then it is makrooh for him to form a new row alone rather he is recommended to draw someone back from the last row to stand with him taking into consideration that he says the opening takbir before drawing him back otherwise he has moved him out from a row of people praying in congregation to no row. It is sunna for the person selected to cooperate and step back from his row willingly to attain the merit of joining the new row and avoid being in conflict with other scholars who said it is not valid to pray alone in a separate row. Muqatil ibn Hayan said: "The Prophet ﷺ said: 'If a latecomer finds no one (to form a new row), then let him draw someone back from the (last) row to stand with him (in the new row). Great is the reward of the one drawn back!'"<sup>5</sup>

<sup>1</sup> See Abu Dawood, Vol. 1, The Book of Prayer, Chapter 71/612.

<sup>2</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 172/233.

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 48/269.

<sup>4</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 28/122.

<sup>5</sup> Al-Bayhaqi, Vol. 3, page 105.

2. For the follower to know of his imam's movements to be able to follow him, whether by actually seeing the imam or seeing someone of the front row, or hearing the voice of the imam or his announcer (muballigh). Aisha رضي الله عنها narrated: "We used to have a mat which we would roll out in daytime and sleep on at night. One night the Messenger of Allah ﷺ was praying on it so the Muslims heard his voice and joined him in prayer. On the following night their number increased, so he went out to them and said: 'You are called upon to do only as much as you can bear, for Allah does not tire of you until you yourselves get tired.'"<sup>1</sup>
3. For the imam and the follower to be in the same place, as detailed in the following:
  - a. When an imam leads a follower in a mosque, the congregational prayer is valid no matter how far they are from each other even if they are separated by chambers leading to the imam's place, even if their doors are closed or locked as long as they initially were not locked, or nailed shut, because the congregational prayer is valid in any place of the mosque. If the imam and follower are separated by buildings that do not open onto each other, their congregational prayer is not valid even if it is possible to see the imam. Multiple interconnected mosques opening onto each other<sup>2</sup> are considered as one mosque.

It does not matter if the imam's place is higher or lower than the follower's, as when one of them is on the mosque's roof or in its minaret and the other is in the mosque's basement because all is built for the purpose of prayer, as long as the follower knows when the imam is performing the motions of the prayer and as long as he does not stand ahead of him. However, it is makrooh for the place of one of them to be higher than the other's if it is possible to stand on the same level. Hammam رضي الله عنه narrated: "In Mada'in, Huthaifa led the people in prayer while standing on a roof. Abu Mas'oud drew him back from his shirt. When the prayer was finished he said to him: 'Don't you know this has been forbidden?' Huthaifa replied: 'Yes I do, I remembered when you drew me back.'"<sup>3</sup> If the imam's place is higher (or lower) than the follower's for a purpose such as to avoid seeing women praying behind the imam, to inform people of the imam's motions in prayer (the imam's announcer), or to teach (the follower the actions of prayer), then it is not makrooh. Sahl ibn Sa'd رضي الله عنه narrated: "...Then I saw Allah's Messenger ﷺ praying on the minbar, he said 'Allahu akbar' on it and then bowed on it. Then he stepped back, got down, prostrated on the ground near the base of the minbar, and again ascended the minbar. After accomplishing the prayer he faced the people and said: 'I have done this so that you may follow me and learn the way I pray.'"<sup>4</sup>

<sup>1</sup> Masnad Al-Imam Ahmad, Vol. 6, page 241.

<sup>2</sup> Such as in Al-Azhar and Al-Jawharria mosques.

<sup>3</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 67/597.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 24/875.

In all cases, it is a necessary condition for the validity of the congregational prayer that it be possible to pass from the follower's place to the imam's even if by twisting or turning, and for the follower to know the imam's motions of prayer so he can follow him, and for the follower not to step ahead of the imam. As for the merit of the congregational prayer, it is lost if the follower is adjacent to the imam (in the same row), or more than 1.44 meters away from the imam or the row before him.

- b. If the imam and the follower are not in a mosque, but are in a courtyard or a building, it is a necessary condition for a valid congregational prayer that the distance between the follower and the imam, or between each two rows of people standing behind the imam, does not exceed three hundred thira' (144 meters, though it is permissible to add to that 1.44 meters), provided that there is not a barrier between the imam and follower such as a closed door (that has been closed initially). If the door is opened then the congregational prayer of one standing behind or beside it is valid.
  - c. If the imam is in a mosque but the follower is outside, the congregational prayer is valid as long as the distance between the end of the mosque and the first follower standing outside, and between each two rows or two followers out the mosque, does not exceed approximately 144 meters give or take 1.44 meters, provided that there is no barrier between the imam and follower so that passage to the imam's place is still possible with no need to turn or deviate. The mosque's courtyard is considered as part of the mosque. However, the merit of the congregational prayer is lost whenever the distance between the imam and follower or each two rows or persons is over 1.44 meters.
4. That the follower intends to follow the imam. This intention should be before one has started the prayer and simultaneous with the opening takbir. That is because following the leadership of the imam is a separate matter from performing the prayer itself, therefore it requires an intention. If one does not make the intention to follow the imam, his prayer will count as an individual prayer and is not invalidated, but he must not follow the motions of the imam. If following the imam is a condition of a valid prayer such as in Friday prayer, then if the follower does not make the intention to follow the imam, his prayer is invalid and does not count in the first place. If he omits making the intention to follow the imam or to pray alone, and starts praying without specifying, his prayer counts as praying alone, and it invalidates his prayer to follow the imam's motions without making a new intention because he is following someone who is not his imam. If he has doubts while praying behind the imam whether he had intended to follow the imam or not, he is not permitted to continue to follow the imam unless he intends to at this point, for it invalidates his prayer to follow the imam without making a new intention because he is linking his prayer to someone's without certainty. If he has doubts after finishing with salam then he does nothing and his prayer is valid.

If one is praying alone then it is makrooh to change his intention to a follower of the imam while in prayer. In this case, the congregational prayer is valid but one does not attain its merit because he has changed his status from independent to dependant. However, one is obligated to follow the imam from where one has reached, so that if one is in the last prostration or final testification of faith of one's prayer and he intends to follow an imam who is in standing posture, he must remain seated until the imam sits.

If the imam interrupts his prayer for some reason, he may choose a follower to be a successor. In this case, the other followers need not make a new intention to follow the new imam.

The imam is recommended to make the intention of leading the prayer as an imam before starting or during the prayer. If he does so before starting the prayer he attains the full merit of congregational prayer, and if he makes the intention during the prayer he attains the merit of congregation from that point onwards, and it is not makrooh for him to do so because he has not made himself dependant by doing so, but his intention cannot encompass what took place before it. If the imam does not make the intention to lead as imam, the congregational prayer is valid but he loses its merit though followers praying behind him attain it, since each attains what he intends. The above is true as long as it is not the Friday prayer, in which the imam is **obligated** to make the intention of leading as imam when saying the opening takbir. If he doesn't, even unintentionally, his own Friday prayer is invalid though his followers' prayer is valid as long as they find out about their imam's intention after finishing the prayer. If the followers knew about their imam leaving out his intention to be imam before or during the prayer, their prayer is invalid.

5. For the structure of the prayer to be the same. Praying behind the imam is not valid if the imam's prayer differs in its structure from the follower's because in such a case it is impossible to follow the imam's actions, such as in the following combinations:

- a. A prescribed prayer behind an eclipse prayer and vice versa.
- b. A prescribed prayer behind a funeral prayer and vice versa.
- c. A funeral prayer behind an eclipse prayer and vice versa.

It does not matter if the imam's intention is different from the follower's, therefore, it is valid for one performing a prescribed prayer to follow an imam performing a non-obligatory prayer, and vice versa. Jaber ibn Abdullah رضي الله عنه narrated: "Mu'ath used to pray with the Prophet ﷺ and then go to lead his people in prayer."<sup>1</sup> Also, Yazid ibn Aamer رضي الله عنه narrated: "The Messenger of Allah ﷺ said to me: 'Whenever you come to prayer and find people praying (in congregation) then pray with them even you have already performed the prayer. The prayer you have

<sup>1</sup>Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 37/679.



performed (alone) will be considered as a prescribed prayer and the one with the congregation as a voluntary prayer.”<sup>1</sup>

It is correct to follow the imam if:

- a. The follower is performing a makeup prayer while the imam is performing a current one.
- b. The follower is performing a four-rak’a prayer while the imam is performing a two or three-rak’a prayer and vice versa.
- c. The follower is performing a prayer that is recited to oneself while the imam is performing a prayer that is recited aloud, and vice versa.

In all these cases, the prayer is valid but the merit of the congregational prayer is lost.

6. To be in accordance with the imam in sunnas whose opposition is a *gross contravention*, such as the Quran recital prostration in which the follower is obligated to perform it if the imam does and omit it when the imam omits it (otherwise one’s prayer becomes invalid). In forgetfulness prostration, one is obligated to perform it when the imam performs it, but not obligated to omit it if the imam does rather is recommended to perform it. In the testification of faith, one is obligated to omit it when the imam omits it<sup>2</sup> but not obligated to perform it if the imam performs it. In this case, one is permitted to omit it and wait in standing until the imam rises then one continues the prayer with the imam. It is permissible to go back to sitting<sup>3</sup> to perform the testification of faith with the imam, in fact it is recommended as long as the imam has not stood up yet and the follower has not been standing at length before going down to the sitting position with the imam.

In qunut, one is not obligated to be in accordance with the imam. If the imam does it, the follower is permitted to omit it and prostrate intentionally. If the imam omits it, it is recommended for the follower to perform it provided he joins the imam in the first prostration (of that rak’a), even if he joins the imam in sitting between prostrations he is permitted to perform it, but if he cannot join the imam

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<sup>1</sup> Al-Darqutni, Vol. 1, page 276.

<sup>2</sup> If both the imam and follower omit the testification of faith and stand upright then the imam returns to sitting to perform it, the follower should not sit with the imam to perform it because the imam might be mistaken in doing so and the follower should not follow the imam’s mistakes, or he might have done so intentionally in which case his prayer is invalidated. In this case it is better for the follower to part from the imam, though it is permissible to wait for the imam bearing in mind that he might have returned to sitting absentmindedly and not intentionally.

<sup>3</sup> This is true when the follower intentionally omits the first testification of faith, but if he absentmindedly stands up he must sit again, in deference to his imam’s leadership, otherwise his prayer is invalid. The reason for having different rulings for one who stands up intentionally and one who does so absentmindedly is that each intentional action counts and by standing up intentionally one has started an obligation and he is obligated to follow the imam’s leadership as well, therefore he has the choice either to sit down again or continue in standing. As for one who acted absentmindedly, his actions do not count, and his standing is as though nonexistent, therefore he must sit again in deference to his imam’s leadership.

until the second prostration he is not permitted to perform it unless he intends to part from the imam<sup>1</sup>.

It is not a necessary condition for the congregational prayer to be valid to follow the imam in sunnas whose opposition is not a gross contravention, such as sitting to rest.

7. The succession of actions, which is to follow the imam so that each of one's movements begins after the imam begins his and before he finishes it. One follows the imam's verbal pillars and sunnas in the same way, with the sole exception of saying "ameen" which is recommended to be simultaneous with his, for the above mentioned hadith of Abu Hurayrah رضي الله عنه: "... If he says 'Allahu akbar' then you say 'Allahu akbar.'"

### **The legal status of congregational prayer when the imam's actions are not being followed**

#### **1. Physical actions:**

- a. Performing the prayer's actions simultaneously with the imam.

It is makrooh, though it does not invalidate the prayer, to perform a prayer's action simultaneously with the imam and the merit of congregational prayer is lost.

- b. Performing the prayer's actions ahead of the imam.

It is forbidden, though the congregational prayer remains valid if one completely finishes a physical pillar before the imam gets to it. As when one bows and then straightens up while the imam is still standing.

It is makrooh to do a physical pillar partially ahead of the imam, as when one bows before the imam does and waits for him to bow then raises his head. This does not invalidate the prayer be it done intentionally or absentmindedly because it is a slight contravention. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Isn't he who raises his head before the imam afraid that Allah may transform his head into that of a donkey's!"<sup>2</sup> If one does so intentionally, then he is recommended, though not obligated, to return to standing and bow with the imam. If one absentmindedly bows before the imam does, he has the choice to return to standing or remain where he is and in both cases one does not miss the merit of congregational prayer.

It invalidates one's prayer to complete, without excuse, two physical pillars (even if not long<sup>3</sup>) before the imam does, as when one prostrates while the imam is still standing reciting Quran, because by doing so one lacks the following of the imam's leadership which he is ordered to have. If one does so for a valid

<sup>1</sup> The reason for differentiating between the rulings of lagging behind the imam in order to perform qunut or the testification of faith is that in qunut one does not add a standing that the imam did not perform while in the testification of faith one adds a sitting that the imam did not perform.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 25/659.

<sup>3</sup> Short rukns are straightening up from bowing and sitting between prostrations, any other rukn is considered long.

excuse, it does not invalidate the prayer and one does not lose the reward of the congregational prayer. The valid excuses for going ahead of the imam are forgetting and ignorance of the jurisprudence of such intricate matters.

**c. Lagging behind the imam.**

If there is no excuse, it does not invalidate one's prayer, though it is makrooh, to lag behind the imam until he completely finishes a physical pillar. It invalidates one's prayer to lag behind the imam until he finishes two physical pillars because following the imam's leadership is impaired.

When one lags behind the imam for a valid excuse, one's prayer is not invalidated, the merit of congregational prayer is not lost, and one is entitled to lag in order to finish the obligatory recital (and that includes only the Fatiha) after which one rapidly performs the elements of his own prayer to catch up with the imam, provided the imam is not more than three long pillars ahead of one. If one is farther behind than that, then one follows the imam's leadership (as a latecomer does) from where one is and performs what one has missed after the imam finishes with salam, or one parts from praying with the imam. One's prayer is invalid if the imam begins the fifth pillar while one is still reciting unless one parts from praying with the imam.

The valid excuses for lagging behind the imam are:

1. One's slow recital due to one's inability (to recite quicker) or unfounded misgivings, while the imam's recital is average in its speed.
2. The imam being fast in his recital.
3. A latecomer (who stands with the imam for a time enough to recite the Fatiha or more) being occupied with performing a sunna such as the opening supplication. In this case one may lag behind in order to finish the Fatiha if he has not.
4. Absentmindedness. If after the imam bows and before one does, one is uncertain as to whether he recited the Fatiha or not, or recalls that he has not, one must lag behind the imam in order to recite it. If this occurs after one has bowed, one need not return to recite it, rather one follows the imam and performs a rak'a after the imam finishes with salam.

**2. Verbal pillars:**

- a. It invalidates one's prayer to say one's opening takbir simultaneously with the imam or ahead of the imam because in this case one links one's prayer to the imam's before his is established. Abu Hurayrah رضي الله عنه narrated that the prophet ﷺ said: "The imam is to be followed, after he says the opening takbir then you say it, and do not say it until he does."<sup>1</sup>

Also, it invalidates one's prayer to be uncertain as to whether one did say one's opening takbir simultaneously with the imam or not, or to think one said it

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<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 69/603.



after the imam did but it was simultaneous. It is a necessary condition that all of one's takbirs take place after all of the imam's.

- b. It is makrooh to say one's salam simultaneously with the imam, yet one does not lose the merit of the congregational prayer.
- c. In silent prayers, it is valid to finish reciting the Fatiha or the testification of faith before the imam begins because doing so is not an apparent differing.
- d. In aloud prayers, it is makrooh to recite the Fatiha simultaneously with the imam and one thereby loses the merit of congregational prayer in this particular pillar.

A latecomer (who stands with the imam for a time not long enough to recite the Fatiha) is recommended not to perform a sunna such as the opening supplication or ta'awwuth, rather he immediately starts reciting the Fatiha which is an obligation that no other non-obligatory act should distract from, unless he thinks he has time to recite it after performing the sunna. If he performs a sunna he is obligated to lag behind the imam and recite a part of the Fatiha equal to the performed sunna because he is blamed with neglecting an obligation in favour of a non-obligation. If, after he finishes, he joins the imam in bowing, this rak'a counts for him, but it does not if he joins the imam in straightening up in which case he must follow the imam and then perform a rak'a when the imam finishes with salam. A latecomer must part from praying with the imam if the imam moves to prostrate before the latecomer finishes his recital, If he does not or prostrates with the imam his prayer becomes invalid.

A latecomer who did not occupy his time with a sunna is obligated to bow with the imam and is entitled to omit the rest of the Fatiha and the rak'a counts for him because following the imam is essential. If he lags behind the imam in order to finish the Fatiha until the imam straightens up from bowing, he misses the rak'a because he lagged for no excuse, but his prayer is valid. In this case, he follows the imam and prostrates with him as if he has just joined the imam at this point and his first rak'a does not count for him.

## When does a rak'a count for the latecomer

A rak'a counts for one who joins the imam in bowing and bows with him and remains motionless for at least the time needed to say "Subhanallah" before the imam raises his head. Abu Hurayrah  narrated that the Messenger of Allah  said: "If one joins a rak'a of the (congregational) prayer before the imam straightens up his back, this rak'a counts for him."<sup>1</sup>

If one joins the imam in an extra bowing (whether done absentmindedly or otherwise) as when one joins the imam in a fifth rak'a of a four-rak'a prayer, a fourth of a three-rak'a prayer, or a second bowing of the eclipse prayer, this rak'a does not count for him.

What one performs before the imam finishes with salam is the beginning of one's prayer, and what one performs after the imam finishes is the completion. Abu Hurayrah

<sup>1</sup> Al-Darqutni, Vol. 1, page 347.

ؓ narrated that the Prophet ﷺ said: "... And pray from where you join and complete whatever was missed."<sup>1</sup> Hence, if one joins a prayer that includes qunut supplication and performs the supplication with the imam, one must repeat it at the end of his own prayer because one performed the first to follow the imam's leadership, therefore when one reaches the proper time for the supplication one must repeat it according to the order of one's prayer. If one prays only one rak'a of Maghrib with the imam, one stands after the imam finishes with salam, performs a rak'a, sits for the testification of faith, performs a third rak'a, and then sits for the final testification. If one misses two rak'as of a three or four-rak'a prayer, one need not recite aloud in raka's performed after the imam finishes with salam, though one must read a sura in these rak'as even though they are the last rak'as of his prayer so that one's prayer is not devoid of recitation.

## Choosing a successor

Whenever the imam ceases his prayer (whether for a valid reason or not) he may choose a successor (to continue leading the prayer). Aisha ؓ said: "When the Messenger of Allah ﷺ became seriously ill, Bilal came to inform him that it was time for the prayer. He ﷺ said: 'Tell Abu Bakr to lead the people in prayer.' I said to Hafsa: 'Tell him that Abu Bakr is a soft-hearted man and if he stands in your place he will not be heard. So if you would ask Umar to lead the prayer.' He ﷺ said: 'Verily you are the companions of Joseph. Tell Abu Bakr to lead the people in prayer.' So Abu Bakr began the prayer. In the meantime the Messenger of Allah ﷺ felt better and came out with the help of two persons with his feet dragging on the ground till he entered the mosque. When Abu Bakr heard him coming, he tried to retreat but the Messenger of Allah ﷺ signalled to him not to. The Messenger of Allah ﷺ sat on Abu Bakr's left. And so Abu Bakr prayed standing while the Messenger of Allah ﷺ prayed seated. The people were following Abu Bakr's leadership while he was following the Prophet's."<sup>2</sup>

The imam should choose a successor within a very short time, for if the congregation performs a whole pillar on their own he may no longer choose a successor. The successor must be eligible to lead the congregation. Any follower (who is performing the same prayer as the imam's or another prayer that has the same number of raka's) may be picked as the successor even if he came late to the congregational prayer and whether he was chosen in the first rak'a or any other rak'a because the order of his prayer will correspond to the congregation's since he was committed to the imam's order. If the chosen successor is a latecomer, he must lead the congregation beginning at the same point in prayer where the imam left off, so that he sits and stands when the imam was going to sit and stand exactly as though the imam were still leading the prayer. If a latecomer joins the congregation in the second rak'a of Fajr then the imam chooses him as a successor (because he broke his wudu),

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 16/866.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 39/681.

he should read qunut supplication, sit for the testification of faith, and then read qunut again in the second rak'a of his prayer. When the successor finishes leading the congregation in their prayer, he stands to finish his own. The followers have a choice to cease following his leadership and do salam or to remain waiting for him in their final testification of faith until he comes to it then to finish together with salam. This is true if the latecoming successor knows which rak'a the imam was in and how many are left, but if he does not, then he should observe (after he finishes that rak'a) if the followers get ready to rise, he rises, and if not, then he sits for the testification of faith. The imam takes over any mistake the successor made before he was chosen and no one should prostrate for that forgetfulness, but if he makes a mistake after being the successor, then he should prostrate for forgetfulness so should the congregation. The congregation's mistakes that occur before the imam's wudu being nullified and after choosing a successor are taken over but those between them are not and require a forgetfulness prostration after the successor finishes with salam, if they occurred

If the imam leaves the prayer because his wudu broke without choosing a successor, the followers may indicate to one of them to finish leading the prayer, and it is also valid for one to step forward on his own.

It is valid for the imam to choose someone who has not been praying with the congregation to be the successor provided he does so in the first or third rak'a if the prayer is one of four rak'as (because the order of the person's prayer will not contradict theirs), though it is not valid in the second or fourth rak'a, for such a person is not committed to the imam's order and is obligated to stand while they are obligated to sit for the testification of faith according to the imam's order which causes a difference (in their prayers).

## **The most rightful person to be imam**

The most rightful person to be imam in order of preference is a governor in his region, then the assigned imam of a mosque, then the person living in the house where the prayer takes place (whether he owns, rents, or borrows it, and whether it was an endowment, a bequest, a gift, or the like) for he takes precedence over anyone in his house including a scholar. Abu Mas'oud Al-Ansari rahimahullah narrated that the Messenger of Allah ﷺ said: "No man should lead another in prayer in that person's house nor enter his home unless with his permission."<sup>1</sup> If both owner and tenant are present, then the owner takes priority over the tenant. Any of the above mentioned people with the best right to be imam may come forth to lead or select someone else to lead.

The person most entitled to be imam is the one who is:

- the most learned in jurisprudence, followed by
- the one who has memorized the most Quran, then
- the most ascetic,
- the most god-fearing,

<sup>1</sup> Muslim, Vol. 1, The Book of Mosques and Places of Prayer, Chapter 53/290.

- the one who has been a Muslim longest,
- the oldest,
- the most closely related to the Prophet ﷺ, so a Qurashi, then a Muttalibi, then any Arab, take precedence over others, and the son of a righteous person or scholar takes precedence over others,
- the one with the most pious life history,
- the one with the cleanest clothes,
- the cleanest in person,
- the one with the cleanest profession,
- the one with the sweetest voice,
- the most handsome,
- the married.

If they are all equal, then they draw lots. Ibn Umar رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Choose the best among you to be your imams, for they are your emissaries to your Lord."<sup>1</sup>

An upright person takes precedence over a corrupt one even when the latter is more learned in jurisprudence, though it is valid to follow him in prayer.

It is valid for a child who is above the age of discrimination and has eligibility for prayer to be the imam of Friday prayer (or any other congregational prayer). Amr ibn Salama رضي الله عنه narrated that during the Prophet's ﷺ life-time he led the people in prayer at the age of six or seven<sup>2</sup>. However, an adult takes precedence over a child with discrimination even if the latter is more learned in jurisprudence and has memorized more Quran.

A resident takes precedence over a traveller, because when the resident leads the prayer the imam and followers do not differ. But if a traveller leads the prayer, they differ.

A sighted and a blind person are equally eligible to lead the prayer, because the first avoids visible najasa and the latter sees nothing to be distracted by.

One who is chosen as imam because of a certain characteristic may not select another to lead the prayer.

## Recommended acts in congregational prayer

1. It is recommended that the followers do not stand up (to pray) until the call of iqama is over.
2. Straightening the rows of people praying and ordering others to do so, especially for the imam. He must face the people and order them to straighten their rows. Ibn Mas'oud Al-Badri رضي الله عنه narrated: "The Messenger of Allah ﷺ used to place his hands over our shoulders when we lined up for prayer and say: 'Make your rows

<sup>1</sup> Al-Bayhaqi, Vol. 3, page 90.

<sup>2</sup> Al-Bukhari, Vol. 4, The Book of Military Expeditions led by the Prophet ﷺ, Chapter 50/4051.

straight and do not differ among yourselves, or your hearts will be in discord.”<sup>1</sup>

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When only men (or women alone) are praying in congregation the best row is the first row then the second and so on. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: “If people knew the reward for the call to prayer and (standing in) the first row and there was no other way to get that reward but by drawing lots, they would do so.”<sup>2</sup>

It is preferred that women stand behind men when men and women are praying in congregation. If a woman stands next to, or in front of, a man, then the prayer of both is valid, though it is preferred that she stand behind him. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: “The best of men’s rows is the first one and the worst is the last, and the best of women’s rows is the last row and the worst is the first.”<sup>3</sup>

3. Brevity. The imam is recommended to make his prayer brief<sup>4</sup> unless he is leading a congregation composed solely of those who do not mind a lengthy prayer. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: “When one of you leads the people in prayer, then let him make it brief for amongst them are the weak, the sick, and the old. And when one of you prays alone then let him make the prayer as long as he wishes.”<sup>5</sup>
4. The imam is recommended to raise his voice in takbir, in saying “Allah hears whoever praises Him,” and in salam, even in the silent prayer. When reciting aloud he should intend thikr and informing together, since his prayer is invalidated if he lacks any intention or intends merely to inform.
5. When the imam is bowing or in the final testification of faith and becomes aware of someone coming to join the congregational prayer, it is recommended that he wait for the latecomer provided that the wait is not long and he does not favour a ‘comer’ over others. No doubt, the permissibility of this wait is restricted by causing the followers no harm, in accordance to the Prophet’s ﷺ command to make the congregational prayer brief.
6. It is recommended to repeat one’s prescribed prayer with the congregation, making the intention of an obligatory prayer, whether one has performed the first alone, as a follower, or as an imam. Jaber رضي الله عنه said: “Mu’ath ibn Jabal رضي الله عنه used to pray with the Prophet ﷺ and then go to lead his people in prayer.”<sup>6</sup> The first counts as obligatory whereas the repeated one counts as a non-obligatory prayer. Yazid ibn Al-Aswad Al-A’miri narrated through his father: “I joined the Prophet ﷺ in his hajj. I performed with him Fajr prayer at Al-Khayf mosque. When he finished his prayer and turned, he saw two men in the back who did not pray, so he said: ‘Let them

<sup>1</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 28/122.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Athan, Chapter 9/590.

<sup>3</sup> Muslim, Vol. 1, The Book of Prayer, Chapter 28/132.

<sup>4</sup> Provided he performs the main and ordinary sunnas of prayer.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 34/671.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 37/679.



come to me.' They came trembling with fear. He asked them: 'Why you did not pray with us?' They answered: 'O Messenger of Allah ﷺ, we had already prayed at home.' He said: 'Do not do so. If you pray at home and then come to a mosque where a congregational prayer is being performed, then join the congregation and it will count as nafl.'<sup>1</sup>

If one intends thereby to make up a missed prayer, then it is considered a makeup, but if he makes the intention of repeating a prescribed prayer and recalls that he has committed a mistake in the first prayer, the second one is not valid and one has to intend to perform the prescribed prayer as though he had not performed it before.

## Makrooh acts in congregational prayer

1. It is makrooh for the imam to wait for the latecomer other than in the bowing and the final testification of faith.
2. It is makrooh for the imam to prolong the prayer so that more people catch up and increase the congregation, or a known person who attends the congregation regularly, joins the congregation, for the Prophet ﷺ said: "When one of you leads the people in prayer, let him be brief."
3. It is makrooh for one who is immoral, not circumcised, or has an innovation which does not render him an unbeliever, to lead the prayer. This is makrooh for the imam, whereas the followers attain the full reward of the congregational prayer.

## Sequel

1. It is makrooh for a man to lead people, most of whom dislike him, in prayer. Ibn Abbas ؓ narrated that the Prophet ﷺ said: "The prayer of three people does not rise a hand's span above their heads," and he mentioned: "Someone leading in prayer a group who dislikes him."<sup>2</sup>
2. It is makrooh for a man to lead in prayer a non-mahram woman. Ibn Abbas ؓ narrated that the Prophet ﷺ said: "No man should be alone with a woman except in the presence of her mahram,"<sup>3,4</sup> though it is permissible to lead a congregation of non-mahram women.
3. It is valid for the imam, who has an excuse to pray sitting, to lead a standing follower, for the above mentioned hadith of Aisha ؓ, she said: "... The Prophet ﷺ sat on Abu Bakr's left. Abu Bakr was praying standing and the Messenger of Allah ﷺ was praying sitting. The Messenger of Allah was leading Abu Bakr in prayer, while Abu Bakr was leading the people."<sup>5</sup>

<sup>1</sup> Al-Tirmithi, Vol. 1, The Books of Prayer, Chapter 163/219.

<sup>2</sup> Ibn Maja, Vol. 1, The Book of Establishing the Prayer and its Sunnas, Chapter 43/971.

<sup>3</sup> A husband or non-marriageable kin.

<sup>4</sup> Al-Buhkari, Vol. 5, The Book of Wedlock, Chapter 110/4935.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and the Imamate, Chapter 39/681.

4. It is valid for a *non-confused mustahada* to lead a non-mustahada woman, and for one who has bladder incontinence (or continuous discharge), or a bleeding wound to lead a sound person.
5. When the imam is unable to continue reciting Quran, it is recommended for the follower to remind him of what comes next. Al-Mussawar رحمہ اللہ narrated: "I witnessed the Messenger of Allah reciting in (congregational) prayer and he missed some ayahs. A man said to him: 'O Messenger of Allah, you missed this ayah.' The Messenger of Allah ﷺ said: 'You should have reminded me of it.'"<sup>1</sup> If the imam absentmindedly skips some verses while reciting the Quran, it is recommended for the follower to remind him of that. Also, if the imam forgets an invocation or replaces it with another, it is recommended for the follower to say it aloud so the imam can hear and then recite it.
6. It is not permissible for the follower to follow the imam's leadership when the latter omits, intentionally or absentmindedly, an obligatory action of the prayer and does not return to perform it. If the imam does so intentionally then his prayer is invalid, and if he does so absentmindedly then his performance does not count and the follower should part from praying with him and continue the prayer alone, though it is recommended for the follower to remind the imam in case he was absentminded by saying "Subbhan Allah." The imam should act upon what he is certain of and not what the followers claim.

If the imam stands up to perform a fifth rak'a when the prayer has four raka's, the follower should not follow him if he knows it is extra, because he is certain that his prayer is complete. If the follower is one rak'a behind the imam, or not certain whether or not he has performed a pillar such as reciting the Fatiha, and the imam stands up to perform a fifth rak'a, it is not permissible for the follower to follow the imam in performing this rak'a if he knows it is extra, because it does not count for the imam.

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<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 163/907

# THE FRIDAY PRAYER (JUMU'A)

Friday prayer consists of two rak'as that take place during the time of Thuhr and replace it every Friday.

## Legal status of Friday prayer

Attending Friday prayer is a personal obligation. Allah ﷻ says: "O you who believe! When the call is proclaimed to prayer on Friday, hasten earnestly to the remembrance of Allah, and leave off business."<sup>1</sup> The command to hasten earnestly indicates the obligation of attending Friday prayer, and leaving off permissible matters such as business is to fulfill this obligation. The remembrance of Allah refers to the prayer or the khutba.

Hafsa, the Prophet's ﷺ wife, narrated that the Prophet ﷺ said: "Attending the Friday prayer is obligatory on every male above the age of puberty."<sup>2</sup>

Ibn Umar and Abu Hurayrah narrated that they heard the Messenger of Allah ﷺ say from his wooden minbar: "Certain people had better stop neglecting Friday prayer, or Allah will seal their hearts, and they will be counted among the negligent ones."<sup>3</sup>

Abu Al-Ja'd Al-Dummari narrated that the Messenger of Allah ﷺ said: "One who omits Friday prayer three times out of negligence, Allah will seal his heart."<sup>4</sup>

## Conditions of Friday prayer

1. To be a Muslim, above the age of puberty, and sane<sup>5</sup>. Though it is recommended for a boy who has not reached the age of puberty.
2. To be male. Hence, women are not obligated to attend Friday prayer, but if they do, it replaces Thuhr as it does for men.
3. Health. A sick person who is excused from attending the congregational prayer is not obliged to attend Friday prayer. This is true even if the people of his community cannot establish the Friday prayer without him because they are less than forty men, (provided he is not already present at the place where Friday prayer takes place). Tariq ibn Shihab narrated that the Prophet ﷺ said: "Attending Friday prayer in a congregation is obligatory upon every Muslim except four: A slave, a woman, a child, or one who is sick."<sup>6</sup>

An illness that excuses one from attending Friday prayer is one which imposes apparent intolerable hardship. Yet, the ill person must pray the Friday prayer if:

<sup>1</sup> Al-Jummu'a, 9.

<sup>2</sup> Al-Nasa'i, Vol. 3, Page 89.

<sup>3</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 12/40.

<sup>4</sup> Al-Tirmithi, Vol.2, The Books of Prayer, Chapter 359/500.

<sup>5</sup> Losing one's sanity because of a non-forbidden reason (such as an illness) excuses one from attending Friday prayer. If one loses sanity by a forbidden act such as getting drunk and the like, then one is not excused from attending Friday prayer.

<sup>6</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 215/1067.

- he is present at the place where Friday prayer takes place and its time begins-provided that waiting for doing it does not increase his illness,
- or he is present when the Friday prayer begins.

A sick person is excused from attending Friday prayer because it poses a hardship, but the fact that he is present where the Friday prayer takes place eliminates this hardship, and one should not leave after the prayer begins, except for a very serious reason. He may leave before the time of Friday prayer even if waiting causes him no harm, though it is better if he takes pains to be present.

5. To be a resident. Hence, one travelling for a permissible reason is not obligated to attend Friday prayer, even if the trip is short (less than 81 km.), due to being preoccupied with travel affairs. When a traveller intends to stay in a place a minimum of four full days, not counting the day one arrives or the day one departs, one is obligated to attend the Friday prayer. It is forbidden for someone obligated to attend the Friday prayer to travel after dawn on a Friday unless he can pray it somewhere on his route, or staying behind the group he is travelling with will cause him harm.
6. Friday prayer is obligatory for all who can hear the athan, from the direction where Friday prayer takes place, called by a man with a loud voice, when the wind is still, there is no noise, and one is listening. Abdullah ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "Attending Friday prayer is obligatory for anyone who hears the call to prayer."<sup>1</sup>

## The conditions for a valid Friday prayer

1. That the entire prayer and khutba take place during the time of Thuhr prayer. Anas رضي الله عنه narrated: "The Prophet ﷺ used to perform the Friday prayer when the sun passed its zenith."<sup>2</sup> Also, Salama ibn Al-Akwa' رضي الله عنه narrated: "We used to gather (to perform Friday prayer) with the Messenger of Allah ﷺ after the sun's zenith, then return seeking the paths of shade."<sup>3</sup> It is not valid that the khutba takes place before the time of Thuhr begins, that is because the Friday prayer is reduced to two rak'as by the khutba, therefore if the prayer is not valid before its time, then the khutba is not either.

If there is hardly enough time for the prayer, but the imam believes he can still establish it by giving two brief khutbas and praying two rak'as then the Friday prayer is obligatory upon them, but if he believes he cannot, then they should pray Thuhr.

If the congregation has doubts before starting the Friday prayer that its time is over, then they must not begin it, because one of its conditions (the time) is not fulfilled, therefore it is not valid to start the prayer while having doubts about one of its conditions.

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 212/1056.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 14/862.

<sup>3</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 9/31.

If the congregation begins the Friday prayer during its time then has doubts before finishing with salam that its time has ended, they should finish it as a Friday prayer because the initial presumption is that it was prayed within its time and their obligation is valid, and doubts do not nullify it. Similarly, if the congregation has doubts after finishing the Friday prayer whether or not its time had ended before completing it, then their Friday prayer is valid because the initial presumption is that it was prayed within its time.

If the congregation begins the Friday prayer during its time but the time ends before they finish the first salam, their Friday prayer is not valid and they must complete it as Thuhr and they must pray silently from this point on. Their Thuhr prayer is valid and they need not make an intention for it, because Friday and Thuhr have the same time, therefore, it is valid to base the longer upon the shorter, just like a traveller may complete his prayer after having intended shortening it as a result of having arrived or some other reason.

If the imam extends the first rak'a until he becomes certain that he will not be able to finish the second one within time, he must complete the prayer as Thuhr without making a new intention and it turns into Thuhr prayer the moment he becomes certain, even if the time has not ended yet.

When the Friday prayer is missed, it is not valid to make it up (as Friday prayer) after the time for Thuhr is over, nor on another Friday. Yet, one who misses the Friday prayer must make it up as Thuhr.

2. The site of the Friday prayer must be located amongst the inhabited dwellings of the participants, such as inside a town, or a village even if built with wood or straw, and even if not in the mosque such as in an open place inside the town. It is not valid for the site of Friday prayer to be outside the town, because the Prophet ﷺ said: "Pray as you have seen me pray," and he prayed in the mosque. If a town or village is destroyed and its local residents settle down, even if in places with no roofs or cover, to rebuild their town, it is valid for them to establish the Friday prayer there because it is their home. In contrast to that, if they settle down in a place to build a village, their Friday prayer in this place is not valid until they complete constructing it.

Friday prayer is not valid in the tents and homes of the Bedouins, and they must attend the Friday prayer if they are able to hear the call to prayer from its site, otherwise they are not, because the Arabs of the desert used to live around Medina and the Prophet ﷺ did not obligate them to attend the Friday prayer since the call to prayer did not reach them.

It is a necessary condition that the forty men who are obligated to attend the Friday prayer be local residents of the town or village where the Friday prayer takes place, meaning they live there during summer and winter, and do not leave except when they need to.

3. There should be no other Friday prayer, in the same village or town, prior to or simultaneous with it in the opening takbir of the prayer. That is because the Prophet

ﷺ and the *Rightly Guided Caliphs* did not establish Friday prayer at more than one location, and having one prayer is a sign of unity and agreement. It is valid to establish the Friday prayer at multiple places when there is hardship for them all to pray at one location, such as when a town where Friday prayer takes place is growing and has no place (mosque or other) to accommodate everyone without hardship. When there are many Friday prayers, needlessly, then only the one with the first takbir is valid while others after it are not, and their participants must also perform Thuhr within its time. If the Friday prayers are simultaneous at all locations, then they are all invalid. If many Friday prayers are held, and it is not clear which was the first, or it was forgotten after being identified, then everyone is obligated to perform Thuhr because the valid and invalid Friday prayers got all mixed up. When it is known that many Friday prayers took place simultaneously, or it is not clear whether they all were simultaneous or one of them was the first, then people should do it over together in congregation as one Friday prayer, if it is possible to pray it within its time, because none of the performed Friday prayers were valid. To be on the safe side, and in order not to contradict other scholars who say it is not permissible to hold many Friday prayers even when there is a need to, it is preferred for one who has performed the Friday prayer in a town where many Friday prayers are needed, to repeat it as Thuhr<sup>1</sup>. Thuhr should be performed in congregation after an invalid Friday prayer.

4. Friday prayer should be a congregational prayer. Hence, it is not valid if performed alone. When starting the Friday prayer (with the opening takbir), there should be a minimum of forty participants who are male, have reached puberty, are sane, and are local residents. The imam counts as one of the forty. This number should remain intact from the beginning of the khutba till the end of the prayer. If a few of the forty participants leave during the khutba, then any pillar performed while they are not present does not count. If they return after a commonly held short period of time, then it is obligatory to repeat the pillar performed without them, and there is no need to start over. If they return after what is considered to be a long period of time<sup>2</sup>, then it is obligatory to start over because there has been a break in continuity. If the number of participants diminishes during the prayer to less than forty, it becomes invalid. When the number of participants exceeds forty, then it is valid for the imam to be a traveller or a boy with discrimination.
5. The Friday prayer should be followed by two khutbas, and the imam should sit in between them. Jaber رضي الله عنه narrated: "The Messenger of Allah ﷺ used to give the khutba while standing up then sit, and then get up to give (the second) khutba standing up."<sup>3</sup> The Friday prayer is reduced to two rak'as because of the two

<sup>1</sup> In many Muslim countries, there are more Friday prayers than is needed. Therefore, everyone should perform Thuhr prayer after the Friday prayer. The need is measured by mosques and their uncovered courtyards being, even in winter, completely full.

<sup>2</sup> The criteria for that is a period long enough to briefly perform two rak'as.

<sup>3</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 10/35.

khutbas, therefore, if there are no khutbas, one should return to the original number of rak'as.

## The conditions for the two khutbas

1. That there be a minimum of forty participants.
2. That they take place during the time of Thuhr before performing the two rak'as of the Friday prayer. Therefore, it is not valid for the imam to give the khutbas or part of them before zenith, nor to pray before giving them, because they are a necessary condition for the validity of the prayer and a condition comes first.
3. That the khatib (speaker) be in a state of purity from minor and major hadaths. It is not valid to give the khutba while in a state of janaba, because Quran recital in the khutba is obligatory and the recital of one in a state of janaba does not count. If the participants do not know he is in a state of janaba, or get notified after the Friday prayer is over, their Friday prayer is valid. If he nullifies his wudu while giving the khutba, he must start over, and must not continue even if he makes wudu immediately, because one is not permitted to perform one worship with two purifications. If he chooses a successor when he nullifies his wudu, the successor must continue from where he had stopped. If he nullifies his wudu after the two khutbas and before the prayer, then it is valid, provided he makes wudu immediately.
4. Purity from najasa in body, clothes, and place. Also, purity of the minbar and what the imam carries such as a sword, crutch, or the like. It is absolutely unacceptable for the imam to have najasa under his feet or hands. However, it does not matter if after the khutba one finds out that the imam had nonvisible najasa upon him.
5. That the khatib's awra be covered, because the two khutbas are like two rak'as.
6. That the khatib be standing during the khutbas, if able, for the above mentioned hadith of Jaber ibn Samura رضي الله عنه. If he becomes unable to stand then it is recommended that he choose a successor, though, as in prayer, it is valid if he sits when unable to stand, lies on his side when unable to sit, or lies back when unable to lie on his side. If after the prayer it turns out he was able to stand, the prayer of the participants is valid, if they are forty without him, otherwise it is not. In both cases, the khatib's Friday prayer is not valid.
7. That the khatib's voice be loud enough for the forty required participants to hear<sup>1</sup>. Jaber ibn Abdullah رضي الله عنه said when describing the Prophet's صلى الله عليه وسلم khutba: "... And his voice would rise."<sup>2</sup> It is not valid if he speaks softly to himself, or they attend without being able to hear because of deafness, distance, or sleep.
8. That the two khutbas be in Arabic, if there is an Arab in the congregation, otherwise, it is valid for it not be in Arabic except the Quran which must be in

<sup>1</sup> It does not matter if the non required participants cannot hear.

<sup>2</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 13/44.

- Arabic. One person of the congregation, at least, must learn Arabic, for if not, all are sinful and their Friday prayer is not valid with the ability of one of them to learn.
9. Immediate succession between the words of each khutba, the two khutbas, and the second khutba and prayer. An interruption, even for a valid excuse, such as falling asleep or losing consciousness renders the prayer invalid.
  10. That the khatib sits briefly for at least a moment between the two khutbas, for the above mentioned hadith of Jaber رضي الله عنه, though it is recommended that he sits as long as it takes to read Al-Ikhlās (Quran, 112), and to recite it therein. If he gives the khutba while sitting, being unable to stand, it is obligatory that he pause between the two, and it is not permissible to lie down.

## The obligatory acts of the two khutbas

1. To say “al-hamdu lillah” (praise be to Allah), even if included within a verse, such as saying: “Praise be to Allah Who created the heavens and earth” [85], provided the khatib’s intention is the invocation. If he intends Quran recital, or invocation and Quran recital together, or he makes no particular intention, then it counts only as Quran recital and not praising Allah. Jaber رضي الله عنه narrated: “When the Prophet ﷺ gave the khutba of Friday prayer, he used to thank (say al-hamdu lillah) and praise Allah, then address us. The tone of his voice would rise and he would rage at us as if he was cautioning us against some hostile army poised against us. He would say: ‘Beware! Beware!’ He would further say: ‘I was sent and the Day of Judgement as these two fingers,’ and he would show his forefinger and the middle finger crossed. He would say: ‘The best speech is The Book of Allah, and the best guidance is the guidance showed by Muhammad; the worst practice is innovation, and every innovation is misguidance. Then he would say: ‘I have more claim on every Muslim than his own self. If one leaves behind some property, then it belongs to his family members; and one who dies leaving debts, or dependants, then I hold myself responsible (for the payment of his debts and maintenance of his dependants).’”<sup>1</sup>
2. To say the blessing upon the Prophet ﷺ [34]. It is recommended to say the blessing on the folk and companions of the Prophet ﷺ. It is obligatory to say the above in order, i.e. to say the blessing on the prophet ﷺ after saying “al-hamdu lillah.”
3. To enjoin *taqwa* (God-consciousness), for the above mentioned hadith of Jaber رضي الله عنه, and because it is the most important objective of the khutba. No particular expression is prescribed, yet it is sufficient for the imam to say: “Obey Allah, or, fear Allah.” It is not enough for him to limit himself to warn people from the delusion of this world and its adornments, for even non-believers may warn of the same, rather he must motivate them to show obedience and warn them of committing sin.

<sup>1</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 13/44.



4. To recite one ayah of Quran that conveys an intended meaning<sup>1</sup>, in at least one of the two khutbas. It is preferred for it to be in the first, in order to correspond with the supplication in the second, so that there are four obligatory acts in each khutba. It is recommended to recite Qaf (Quran, 50), for Umm Hisham bint Haritha ibn Al-Nu'man رضي الله عنها narrated: "Sura Qaf: 'By the Glorious Quran' was learned from the Messenger of Allah ﷺ. He used to recite it every Friday when addressing the people while standing on the minbar."<sup>2</sup>

If he has memorized nothing of the Quran then he makes du'a or thikr instead of reciting the verse, and if unable to, he pauses for a period equal to the time it takes to do that.

5. To make du'a for believers, male and female, in the second of the two khutbas, and it does not count if he does so in the first. It is valid if he makes du'a for the attendants only, though it is best to include all the believers in his supplication. It is **not** recommended to make du'a for the ruler by name, in fact it is makrooh according to Shafi'i. It is not permissible to praise the ruler with what he is not, though it is sunna to make du'a for the Muslim rulers and governors to attain righteousness and help in fulfilling the truth and upholding justice.

## The sunnas of the two khutbas

1. That the khatib stand on a minbar, if not, then on a high place, for the many narrated authentic hadith about that, among which is the following hadith narrated by Anas رضي الله عنه: "The Prophet ﷺ gave the khutba from the minbar."<sup>3</sup> It is sunna that the minbar have three steps.
2. That he say "as-salamu alaykum" (peace be upon you) to those present when he enters the mosque, that he face them after he ascends the minbar and reaches the step called the resting place, that he again say "as-salamu alaykum" to them. Ibn Umar رضي الله عنهما narrated: "Whenever the Messenger of Allah ﷺ approached his minbar for the Friday (prayer), he used to greet those sitting next to it, then turn his face to people and greet them again when he ascended the minbar."<sup>4</sup>
3. That he sit and rest, while one of those present gives the call to prayer. Al-Sa'ib ibn Yazid رضي الله عنه narrated: "In the life-time of the Prophet ﷺ, Abu Bakr, and Umar رضي الله عنهما, the call to prayer for Friday prayer used to be called when the imam sat on the minbar."<sup>5</sup>
4. That the khutba be eloquent, easily understood, moderate, and not boringly long nor insufficiently short. Jaber ibn Samura رضي الله عنه narrated: "I used to join the Prophet ﷺ in prayers. Both his prayer and khutba used to be concise."<sup>6</sup>

<sup>1</sup> Such as a promise, threat, exhortation, or similar. It is not sufficient to recite a part of a verse even if long.

<sup>2</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 13/52.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 24.

<sup>4</sup> Al-Bayhaqi, Vol. 3, page 205.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 19/870.

<sup>6</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 13/42.

5. That the khatib lean on a stick, or the like, with his left hand and put his right hand on the minbar. It is makrooh for him to turn (to the right or left) during the khutbas, or raise his hands to gesticulate with them unless it is a habit or in order to arouse their interest. Umara ibn Ruayba ؓ narrated that: "He saw Bishr ibn Marwan standing on the minbar raising his hands, so he said: 'May Allah rebuke these hands, I saw the Messenger of Allah ﷺ talking, he would not raise more than this.' He pointed with his fore finger."<sup>1</sup>
6. That the khatib step down immediately after he finishes the khutba. It is makrooh to rap the minbar's steps.
7. That the imam recite Al-Jumu'a (Quran, 62) in the first rak'a of the Friday prayer, and Al-Munafiqoon (Quran, 63) in the second rak'a, or Al-A'la (Quran, 87) in the first and Al-Ghashiya (Quran, 88) in the second. The reciting should be aloud.

## Sunna things to do Friday Eve and Friday

1. To recite Al-Kahf (Quran, 18). Abu Sa'id Al-Khadari ؓ narrated that the Prophet ﷺ said: "One who recites Al-Kahf on Friday, light will be illuminated for him till the following Friday."<sup>2</sup>
2. To increase one's du'a, because on Friday there is an hour (opportune moment) of answered prayers. Abu Hurayrah ؓ narrated that the Messenger of Allah ﷺ mentioned Friday and said: "There is an hour (on Friday) when a servant praying shall not ask Allah for anything but it will be granted.' The Prophet ﷺ indicated how short a time span with a gesture of his hand."<sup>3</sup>
3. To give charity, do good, invoke the blessing on the Prophet ﷺ as much as possible. Aus ibn Aus ؓ narrated that the Prophet ﷺ said: "Of the best of your days is Friday... you should invoke blessing on me a lot, for your blessings are shown to me."<sup>4</sup>
4. To make ghusl for anyone who plans to attend the Friday prayer, be he traveller or non-traveller, male or female. Ibn Umar ؓ said: "Ghusl is for those who must attend the Friday prayer."<sup>5</sup> It has been narrated that Umar ibn Al-Khattab ؓ said to Uthman ؓ: "Have not you heard the Messenger of Allah ﷺ saying: 'When anyone of you comes to the Friday prayer, he should have ghusl.'"<sup>6</sup> Therefore the difference between the ghusl for Friday prayer and Eid is that the ghusl for Friday prayer is for cleanliness and not harming others with one's body odor and the ghusl for Eid is for pleasure, celebration and beautifying oneself.

The time for ghusl extends from dawn till one starts the Friday prayer. It does not count if occurs before dawn. Abu Sa'id Al-Khadari ؓ narrated that the

<sup>1</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 13/53.

<sup>2</sup> Al-Bayhaqi, Vol. 3, page 249.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 35/893.

<sup>4</sup> Al-Nasa'i, Vol. 3, page 91.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 11.

<sup>6</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 4.

Prophet ﷺ said: "Ghusl on Friday is obligatory on every person above the age of puberty,"<sup>1</sup> and he specified the daytime.

It is sunna to delay the ghusl till before one goes to the mosque, because its purpose is to eliminate offensive odors which is best achieved by washing immediately before going. Its time is over if delayed till after the prayer finishes. As for ghusl for Eid, the sunna is fulfilled even if done after the prayer, because the point is beautifying for the day of Eid as mentioned before.

If making ghusl conflicts with arriving early at the mosque, then ghusl takes priority over it, because some schools of thought deem it obligatory.

If one is unable to make ghusl, one may perform tayamum with the intention of ghusl, saying: "I intend to perform tayamum instead of the ghusl of the Friday prayer." [86] That is because the purpose of ghusl is both cleanliness and worship, therefore if cleanliness is missed by not making ghusl then worship remains by performing tayamum. Also, tayamum is stipulated to replace ghusl when one is unable to make ghusl.

5. To cut one's nails, remove the axillary hair, trim the moustache, and shave the private parts. The evidence for this is the general recommendation.
6. To clean one's teeth with siwak.
7. To clean one's clothes and wear one's finest clothes. The best colour to wear is white, if not all, then the top part. Samura ibn Jundab ؓ narrated that the Prophet ﷺ said: "Wear white clothes for they are the best of all your clothes and use them for shrouds for your dead."<sup>2</sup> As for the imam, it is sunna for him to pay extra attention to his appearance because he is an example and he is looked at by everyone.
8. To put on the best perfume one has<sup>3</sup>

## Recommended matters for one attending the Friday prayer

1. To arrive early. Abu Hurayrah ؓ narrated that the Messenger of Allah ﷺ said: "He who makes ghusl as that for janaba then goes (to the mosque) in the first hour (early), it is as though he sacrificed a camel (for the sake of Allah); and he who goes in the second hour, it is as if he sacrificed a cow; and he who goes in the third hour, it is as if he sacrificed a horned ram, and he who goes in the fourth hour, it is as if he had sacrificed a hen, and whoever goes in the fifth hour, it is as if he offered an egg. And, when the imam comes out (to deliver the khutba), the angels present themselves to listen to the khutba."<sup>4</sup>

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 2/839.

<sup>2</sup> Al-Nasa'i, Vol. 4, page 34.

<sup>3</sup> Al-Nawawi said: You should know that what has been mentioned (concerning ghusl, wearing perfume, removing the mentioned hair, trimming the nails, eliminating offensive odors, and wearing the best of one's clothes) is not exclusive to attending the Friday prayer, rather it is recommended for anyone attending a meeting or gathering of people. Al-Majmu', Vol. 4, page 413.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 4/841.

It is recommended to come on foot in tranquillity and dignity, and not to ride to the mosque unless for a reason. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "If prayer is established do not run to it but walk in tranquillity and pray whatever you catch-up with, and complete whatever you miss."<sup>1</sup>

The imam is recommended to come late in order to prepare the khutba.

2. To invoke Allah and perform non-obligatory prayers if one arrives at the mosque before the khutba. When the imam sits, it becomes forbidden to perform non-obligatory prayers, and it does not count even if he has not started the khutba yet. Similarly, it is forbidden and void to pray when the imam sits in between the two khutbas. Tha'laba ibn Abu Malek رضي الله عنه narrated: "The sitting of the imam interrupts any non-obligatory prayer, and his talk puts an end to any other talk."<sup>2</sup>

This does not apply to the prayer of greeting the mosque when one arrives while the imam is seated on the minbar. One may perform it, in fact it is sunna, provided the imam is not at the end of his khutba, so as not to miss the beginning of the prayer with the imam. One must make it brief and confine himself to two rak'as. Jaber رضي الله عنه narrated that the Messenger of Allah ﷺ said: "When one of you arrives on Friday while the imam is delivering the khutba. Let him perform two rak'as and let him make them brief."<sup>3</sup>

3. To sit near to the imam. Aus ibn Aus رضي الله عنه narrated that the Messenger of Allah ﷺ said: "One who performs ghusl, arrives (at the mosque) at the beginning of the khutba and prayer, sits near the imam, and listens to the khutba attentively, gets for every step a full year's reward of fasting and tahajud."<sup>4</sup>
4. To listen attentively to the khutba and cease talking and invoking Allah for one who is able to hear the imam. One who is not, refrains from talking but not from invoking Allah. Allah ﷻ says: "When Quran is read, listen to it with attention."<sup>5</sup> This verse was revealed about the khutba which was described with the word "Quran" because it includes Quran verses. The meaning of the verse indicates the recommendation to forgo talking not the prohibition of talking. Anas ibn Malek رضي الله عنه said: "A Bedouin came to the Messenger of Allah ﷺ on Friday, and said: 'O Messenger of Allah ! The livestock, offspring, and people have perished.' So The Messenger of Allah lifted his hands in du'a, and the people raised their hands in du'a with him ..."<sup>6</sup>

It is obligatory to return one's salam, though it is makrooh to give salam. It is sunna to say "yarhamkumul-lah" (Allah have mercy on you) if one sneezes, or to raise one's voice with the blessing on the Prophet ﷺ when the imam recites "Allah and His angels send blessing on the Prophet. O you who believe! Send your blessing

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Friday Prayer, Chapter 16/866.

<sup>2</sup> Al-Bayhaqi, Vol. 3, page 193.

<sup>3</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 14/59.

<sup>4</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 356/496.

<sup>5</sup> Al-A'raf, 204.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Asking For Rain Prayer, Chapter 20/983.

on him, and salute him with all respect”<sup>1</sup> [87], and whenever his name is mentioned even if the khatib does not do so. Apart from this, keeping silent is recommended for the above mentioned saying of Allah ﷻ and the hadith of Abu Hurayrah ؓ, in which he said: “The Messenger of Allah ﷺ said: ‘One who perfects his wudu, then comes to the Friday prayer, and listens to the khutba attentively, has his sins between this Friday and the previous Friday and three days extra forgiven, and even touching the pebbles (during the khutba) is considered useless talk (unacceptable).’”<sup>2</sup>

## Makrooh acts for one attending the Friday prayer

1. To cut through the crowd to find a place. Abdullah ibn Busr ؓ said: “I was sitting next to him during the Friday prayer when a man came in stepping over people (cutting through their rows). The Messenger of Allah ﷺ said to him: ‘Hey! Sit down for you have offended the people.’”<sup>3</sup> It is not makrooh for the imam to cut through the lines when he cannot reach the minbar otherwise, because there is a necessity, nor a righteous person through whom people obtain blessings, or an important person, even if in a worldly sense, if his passing pleases people, because his passing does not offend them.

When one sees a vacant spot that cannot be reached otherwise, one may cut through the lines to reach it. Similarly, when children come first and fill the front rows so that those obligated to attend the Friday prayer are unable to hear the khutba from where they sit, they may move up closer so that they can hear.

2. To clasp one’s fingers during the khutba. Abu Hurayrah ؓ narrated that the Prophet ﷺ said: “When one of you is going to prayer, he is in a prayer.”<sup>4</sup> Also, Ka’b ibn Ajra ؓ narrated that the Messenger of Allah ﷺ said: “If one perfects his wudu then comes out intending the mosque, let him not clasp his fingers for he is in a prayer.”<sup>5</sup>
3. To draw back one’s knees to one’s chest with one’s hands or clothes during the khutba. Sahl ibn Mu’ath narrated from his father that: “The Prophet ﷺ forbade drawing back one’s knees to one’s chest during Friday prayer while the imam is delivering his khutba.”<sup>6</sup>

## Attaining the reward of the Friday prayer

A latecomer should join the congregational prayer when he enters the mosque at any point of the imam’s prayer. A latecomer is considered to have attended the Friday

<sup>1</sup> Al-Ahzab, 56.

<sup>2</sup> Muslim, Vol. 2, The Book of Friday Prayer, Chapter 8/27.

<sup>3</sup> Al-Nasa’i, Vol. 3, page 103.

<sup>4</sup> Muslim, Vol. 1, The Book of Mosques, Chapter 28/152.

<sup>5</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 28/152.

<sup>6</sup> Al-Tirmithi, Vol. 2, The Books of Prayer, Chapter 370/514.

prayer if he joins the congregational prayer in the second rak'a in time to bow and has time to remain motionless for a moment therein before the imam straightens up beyond the minimum limit of bowing.

If a latecomer does not manage to attain a full rak'a with the imam, he has not attained the Friday prayer and should complete his prayer as Thuhr.

If a latecomer joins the congregational prayer in time to bow then becomes uncertain whether he prostrated once or twice with the imam, before salam, he prostrates one more time and is considered to have attended the Friday prayer thereby, but if he doubts after salam, he prostrates one more time and completes his prayer as Thuhr and Friday prayer does not count for him.

If a latecomer catches up with the congregation in the second rak'a, then performs the other rak'a after the imam finishes with salam, then while he is sitting to say the testification of faith he becomes uncertain whether he prostrated once or twice with the imam, he is not considered to have attended the Friday prayer, and one rak'a counts for him as part of Thuhr and he should perform the other three rak'as.

## Acceptable reasons for not attending congregational or Friday prayer

1. Heavy rain that drenches one and soaks through his clothes and cannot be avoided, severe wind at night, bitter cold and muddiness, and extreme heat at noon time. Ibn Umar رضي الله عنه narrated: "On very cold and rainy nights, the Messenger of Allah ﷺ used to order the muezzin to say: 'Pray at home.'"<sup>1</sup> Also, Abdullah ibn Hareth رضي الله عنه said: "Ibn Abbas addressed us on a severely muddy and rainy day. When the muezzin said: 'Come to the prayer,' he ordered him to say: 'Prayer is at home.' The people began to look at one another with surprise as if they did not like it. Ibn Abbas said: 'It seems that you thought ill of it, but no doubt it was done by one who is better than me- meaning the Prophet ﷺ. It is the Friday prayer and I hated to impose hardship upon you.'"<sup>2</sup>
2. An illness that makes it difficult for one to attend the prayer, nursing a sick person there is no one else to take care of, and the eminent death of a relative or someone deeply attached to the person who must go to prayer. Ibn Umar رضي الله عنه narrated: "That Sa'id ibn Zaid, one of the Badr warriors, fell ill on a Friday. Ibn Umar rode to him late, in the afternoon. The time of the Friday prayer approached and Ibn Umar did not take part in the Friday prayer."<sup>3</sup>
3. To fear for one's safety from an enemy, or fear for one's honor or property, or fear becoming stranded because one's travel companions are about to depart. Ibn Abbas رضي الله عنه narrated: "The Messenger of Allah ﷺ said: 'He who hears the call to prayer and has no excuse for not going (to congregational prayer), the prayer he performs (at

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and Imamate, Chapter 12/635.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and Imamate, Chapter 13/637.

<sup>3</sup> Al-Bukhari, Vol. 4, The Book of Military Expeditions, Chapter 8/3769.

home) is not accepted from him.' People asked: 'What is a valid excuse?' He replied: 'Great danger or illness.'"<sup>1</sup>

4. Fear of meeting, the person one's owes money to- being unable to pay.
5. Expecting the dismissal of charges against oneself.
6. Holding back from going to the bathroom.
7. Having no suitable clothes to wear.
8. Falling asleep.
9. Severe thirst or hunger. Ibn Umar رضي الله عنه narrated that the Messenger of Allah ﷺ said: "If anyone of you is in the presence of food, he should not rush till he satisfies his hunger, even if the prayer has started."<sup>2</sup>
10. Being unable to freshen one's breath after eating something that causes bad breath (raw onions and garlic, etc.). Ibn Umar رضي الله عنه narrated that the Messenger of Allah ﷺ said: "One who has eaten this plant (garlic) should keep away from our mosques till he eliminates its smell."<sup>3</sup>
11. Preparing a dead person.
12. Having someone who fears for him take an oath that he does not go out.
13. A blind person having nobody to lead him. Itban ibn Malek رضي الله عنه narrated: "That he said to the Messenger of Allah ﷺ: 'O Messenger of Allah! At times it is dark and water floods my path, and I am a blind man, so would you pray in my house that I may take that place as a place of prayer?' The Messenger of Allah ﷺ went to his house and asked him: 'Where would you like me to pray?' Itban pointed to a place in his house and the Messenger of Allah ﷺ prayed there."<sup>4</sup>

Yet, if someone volunteers to lead a blind person, or he is able to hire a guide, it becomes obligatory for him to attend the prayer.

When one has any of the above excuses, one is not sinful if he abandons the congregational prayer. If his wish was to attend it had it not been for his excuse, one attains the full reward of Friday prayer. Abu Burda رضي الله عنه said: "Many times I heard Abu Musa saying: 'The Messenger of Allah ﷺ said: When a servant of Allah falls ill or goes on a journey, he receives the same reward he used to get when he was healthy and at home.'"<sup>5</sup>

One who is excused from attending the Friday prayer and expects his excuse to go away, may pray Thuhr before the Friday prayer, though it is better to postpone his Thuhr prayer until he no longer has hope of attending the Friday prayer which is when the imam raises his head from the bowing of the second rak'a.

If one's excuse is expected to remain, then it is recommended to perform Thuhr at the beginning of its time in order to attain that merit.

<sup>1</sup> Abu Dawood, Vol. 1, The Book of Prayer, Chapter 47/551.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and Imamate, Chapter 14/642.

<sup>3</sup> Muslim, Vol. 1, The Book of Mosques and Prayer's Places, Chapter 17/69.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Congregational Prayer and Imamate, Chapter 12/636.

<sup>5</sup> Al-Bukhari, Vol. 3, The Book of Jihad, Chapter 132/2834.

If one's excuse for not attending Friday prayer no longer exists after having prayed Thuhr, then one is not obligated to go to Friday prayer even if he is able to. That is because the obligation for one, who has an excuse, is to perform Thuhr, then he has the choice to pray Thuhr or attend the Friday prayer. Therefore, if he prays Thuhr, it is valid, and if he attends the Friday prayer it fulfils the obligation of Thuhr.

Thuhr prayer for those men who are not excused from attending the Friday prayer is not valid unless they can no longer hope to attend the Friday prayer that is when the imam raises his head from the bowing of the second rak'a. As for women, their Thuhr is valid from the beginning of its time because they are not obligated to attend Friday prayer to start with.



# THE PRAYER OF THE TRAVELLER: SHORTENING AND JOINING PRAYERS

## Shortening the prayer

To shorten the prayer is to perform two rak'as (instead of four) for Thuhr, Asr and Isha.

## The evidence for shortening the prayer

Allah ﷻ says: "When you travel through the earth, there is no blame on you if you shorten your prayers, if you fear the unbelievers may attack you."<sup>1</sup> Umar ibn Al-Khattab ؓ asked the Messenger of Allah ﷺ about Allah's ﷻ saying "if you fear" and the Messenger of Allah ﷺ said: "It is a gift Allah has bestowed upon you, so accept His gift."<sup>2</sup> Therefore, it is not stipulated for shortening the prayer to be in fear.

Yahya ibn Abu Ishaq narrated: "I heard Anas ؓ saying: 'We traveled with the Prophet ﷺ from Medina to Mecca and he prayed in pairs until we returned to Medina.'"<sup>3</sup>

## The reason behind shortening the prayer

The purpose of shortening the prayer is to facilitate prayer for the traveller, on account of the hardship he encounters. Abu Hurayrah ؓ narrated that the Messenger of Allah ﷺ said: "Travel is a piece of torture that prevents one of you from sleeping, eating and drinking. So, if one of you accomplishes what he is after then let him hasten back to his family."<sup>4</sup>

## The legal status of shortening the prayer

Shortening the prayer is:

1. Permissible, if the distance is two to three *stages*. It is narrated that it came to the knowledge of Malek that Abdullah ibn Abbas ؓ used to shorten prayers when travelling for a distance like that between Mecca and Ta'if, or Mecca and Usfan, or Mecca and Jeddah. Malek said: "The distance was four *barids*<sup>5</sup>, i.e. 8,640 meters (81 km approximately)<sup>6</sup>.

<sup>1</sup> Al-Nisa', 101.

<sup>2</sup> Muslim, Vol. 1, The Book of the Traveler's Prayer and Shortening it, Chapter 1/4.

<sup>3</sup> Al-Bukhari, Vol. 1, The Books of Shortening the Prayer, Chapter 1/1031.

<sup>4</sup> Al-Bukhari, Vol. 3, The Book of Jihad, Chapter 134/2839.

<sup>5</sup> An old measure of distance.

<sup>6</sup> Hence, one stage is 40.5 km approx.

However, it is better to complete the prayer (to four rak'as) in order to avoid contradicting scholars, such as Abu Hanifa, who do not permit shortening the prayer unless the travel distance is three stages (121 km) or more. It is recommended for one who constantly travels with his family by sea not to shorten prayers.

**2. Confirmed sunna if:**

- a. The travel distance is three stages or more, i.e. 121 km or more. It is narrated "That Aisha رضي الله عنها went for umra with the Messenger of Allah ﷺ from Medina to Mecca and when she came to Mecca she said: 'O Messenger of Allah, I sacrifice my father and mother for you. You have shortened the prayer and I performed it in full, and you have not observed the fast and I have.' He ﷺ said: 'Well done, Aisha.' Aisha said: 'And he did not criticise me (for that).'"<sup>1</sup>
- b. One finds himself feeling uneasy about shortening the prayer, in which case one is recommended to shorten it to force himself to accept the ruling of Shari'a.

**3. Obligatory.** Shortening the prayer is obligatory if one postpones Thuhr till the time of Asr prayer with the intention of joining the two and he delays the prayer till there is just enough time, to perform four rak'as only.

## The conditions for permitting shortening the prayer

1. Setting off for travel by leaving one's place of residence. Therefore, it is not sufficient to intend to travel, for Allah ﷻ says: "When you (set off in) travel through the earth, there is no blame on you if you shorten your prayers." So, He ﷻ made setting off a condition for shortening the prayer. It does not make any difference whether the prayer time has started before initiating travel or afterwards, nor if enough time has lapsed, after the start of the prayer time, for one to be able to perform prayer before setting off for travel.

Permission to shorten the prayer starts with the beginning of travel. Travel begins the moment one leaves the boundaries of a city (or village) such as a wall, or what stands for the wall like the signs placed at the boundaries of a city or town. This is true whether or not there are orchards or farms inside the wall, or houses and graves outside the wall. If there are no walls or signs for the city or town, travel begins when one leaves the built areas, even if there are ruins in between. Abandoned, cultivated, or effaced ruins in which there are no traces of buildings is not considered as a settled area. It is not a condition to go past the orchards and farms even if they are connected to the town or village from which one is setting off for travel. If one is traveling by sea, one's trip starts the moment he goes aboard. For those dwelling in tents, travel begins when one leaves all the combined tents and

<sup>1</sup> Al-Nasa'i, Vol. 3, page 122.

their associated facilities<sup>1</sup> - if the tents are in one place. If the tents are scattered, travel begins when one goes past the area surrounding one's tent.

Travel ends:

- a. When one returns to the place from which he started his trip, such as the wall of a town or the like.
  - b. When one reaches the wall, or what stands for a wall, of a place that one had intended to stay in for good, or for four days not counting the days of entry and departure. Al-Ala' ibn Al-Hadrami رحمہ اللہ said: "The Messenger of Allah ﷺ said: 'The emigrant stays in Mecca for three days after finishing the rites of (hajj or umra).'"<sup>2</sup> Thus, the Messenger of Allah ﷺ allowed the emigrant to reside for three days amongst the unbelievers, though it was forbidden to stay amongst them, which indicates that within three days one is not regarded a resident. If one has not intended to stay beforehand, one's travel ends as soon as one settles and ends his travelling.
  - c. If one reaches a place in which one intends to accomplish business he does not know will take four days or more to accomplish, and he does not manage to accomplish it on the first day so he stays for another day and so on, then he is allowed to shorten and join prayers for eighteen days. After which, one cannot shorten the prayer in any case.
  - d. When one intends to return back home before travelling for two stages or more. In this case, one is not allowed to shorten prayer the moment he intends to return home. For example, if one has intended to travel from Damascus to Dar'a then he is allowed to shorten prayer at the beginning of the journey, but if he decides during the journey and before travelling two stages to go back to Damascus, one's travel is considered finished from this moment on, and one is not allowed to shorten the prayer on his way back because the distance is not one that permits shortening. However, if one has covered more than two stages, and then intends to return, before reaching his destination, one is entitled to shorten the prayer on the way back as well and, in this case, one's travel does not end with the intention of going back.
2. To plan from the beginning to cover a distance that permits shortening the prayer. Hence, if for example, a creditor sets off in search of one who owes him money and he does not know his whereabouts, one is **not** permitted to shorten the prayer. The same is true for one searching for an escapee whose location is not known (such as a father who sets off to look for his ungrateful disobedient son), for a wandering person who has no destination in mind, a prisoner of war who does not know where his captors are taking him, or anyone who sets off in no particular direction. In all the above mentioned cases, it is only after one covers two or more stages in travel that one is allowed to shorten the prayer henceforth.

<sup>1</sup> Such as play-fields and stables.

<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 81/442.

3. The travel must be long- two or more stages. When measuring the distance, the return distance does not count. Hence, if one intends to travel to a place one stage away, with no intention of residing there, he does not shorten prayer in his travel nor on the way back, even though he suffers the hardships of two consecutive stages.
4. The travel must not be for a sinful purpose. Hence, one is permitted to shorten one's prayer if his travel is obligatory (such as travelling to pay back a debt), recommended (such as travelling to visit relatives), or permissible (such as travelling for trade). It does not make a difference if one commits a makrooh act in his travel, such as travelling alone, or in twos. Shortening the prayer is also permissible for one who began his trip for one of the above mentioned causes but committed a sin in his travel, such as drinking alcohol or committing adultery. As for one who travels for a sinful purpose, such as travelling for robbery, he is not entitled to shorten the prayer. The same applies for one who travels for a permissible purpose and changes his intention to a sinful one during his travel. If one travelling for a sinful purpose repents, the beginning of his travel is considered from the moment of his repentance, and if the remaining distance (to the destination) is long (two stages or more) he is entitled to shorten the prayer, otherwise he is not. If one who changed, during travel, his intention to a sinful purpose repents, he is entitled to shorten the prayer even if the remaining distance is short (less than two stages). By contrast, if one sets off for travel for a permissible cause, then changes the cause to a sinful one, he is not entitled to shorten the prayer from the moment he changes his intention.
5. To be performing a four-rak'a prayer. One is permitted to shorten the prayer only if he is performing a four rak'a prayer or making up one that was missed in travel. One is permitted to shorten prayer missed during travel if he makes it up in travel, even if it is not the same travel in which it was missed. However, it is stipulated that the second travel be long as well. If one makes up missed prayer in residence, or in a short travel, he should perform the prayer in full. Prayer missed in residence must be performed in full even if made up in travel. If one is not certain whether he missed the prayer in travel or residence, he should perform it in full to be on the safe side, whether he makes it up in travel or residence.

## **The conditions for the validity of shortening prayer**

1. To intend to shorten the prayer with the opening takbir, by saying: "I intend to pray the obligation of Thuhr shortened." [88] If one intends to shorten the prayer after the opening takbir, one's intention does not count. If one intends to perform the prayer in full, or makes no intention, he should perform the prayer in full. If one is not certain whether he has intended to shorten the prayer or to pray it in full, he is obligated to pray it in full even if he remembers shortly thereafter that he had intended to shorten the prayer, because part of his prayer elapsed with the intention

of full (paryer). If one makes no intention to shorten the prayer, and his prayer becomes invalid, he is not permitted after that to pray it shortened, because he is now obliged to complete it.

2. One should not follow an imam performing the prayer in full, and if he does, even in part of his prayer, such as catching up with the imam in the prayer's final testfication of faith, one is obligated to perform the prayer in full because that which necessitates shortening the prayer (travel) has coincided with what obligates performing the prayer in full (following an imam performing the prayer in full), hence, performing the prayer in full is obligated.

One should not follow an imam if one is not certain that he is a traveller, and if one does one is obligated to perform the prayer in full even if it turns out that the imam is a traveller and is shortening the prayer. If one follows a person whom one thinks is a traveller then he finds out that he is a resident (by being told that by a third person), one is obligated to perform the prayer in full. If one follows a traveller in prayer and he is in doubt as to whether the imam will shorten the prayer or not, so he intends to shorten, then he is permitted to shorten the prayer if it turns out that the imam is shortening it, however if it turns out that the imam is not shortening the prayer, or one is not able to determine this, he is obligated to perform the prayer in full. It is valid for one to base his intention on that of the imam, such as saying: "If he shortens the prayer I will, otherwise, I will perform the prayer in full," and he is allowed to shorten the prayer if the imam shortens it and is obligated to perform the prayer in full if the imam does.

3. That one be aware of the permissibility of shortening prayer for travel.
4. One's travel should last from the start of the prayer to its end. Hence, if one arrives before one finishes the prayer, he is obligated to perform the prayer in full, even if he had intended to shorten the prayer, and he completes the prayer without renewing the intention. For example, if one enters into prayer while travelling on a ship then the ship reaches the place of one's residence, or if one intends to reside, then one has to perform the prayer in full.

# JOINING PRAYERS

## Its legal status and evidence

A traveller, on a long permissible travel that permits shortening the prayer, is permitted to jointly perform Thuhr and Asr, or Maghrib and Isha, at the time of one of them. Ibn Abbas رضي الله عنه said: "The Messenger of Allah ﷺ used to join Thuhr and Asr prayers when he was travelling (on the back of his riding animal) and join Maghrib and Isha prayers."<sup>1</sup>

Combining the prayers is to join one prayer to the other at the time of one of them, whether or not one or both are shortened. Anas رضي الله عنه reported: "When the Prophet ﷺ wanted to join the two prayers in travel he would delay Thuhr until the time of Asr prayer began, then he would jointly perform them."<sup>2</sup> The details of this ruling are as follows:

## The conditions for permitting the joining of prayers

Combining the prayers is permissible:

1. When one is on a long permissible travel.
2. Between Thuhr and Asr, or Maghrib and Isha, prayers only. Hence, it is not permissible to join Fajr prayer to any other prayer nor to join Maghrib to Asr. Friday prayer is treated like Thuhr prayer with respect to advance joining only, provided it counts for Thuhr prayer, otherwise it is not valid to join Asr prayer with it in advance. Delayed joining of Friday prayer is not valid because one of its conditions is its performance at the time of Thuhr. Although combining prayers is permissible, it is better to avoid it because there are differences in opinion about it<sup>3</sup>, and also because combining leaves one of the prayer's times void of any prayer.

## Cases in which it is better to shorten and join prayers

1. The case of a travelling pilgrim in Muzdalifa and Arafa. Abd Al-Rahman ibn Yazid said: "We journeyed with Abdullrahman رضي الله عنه to Mecca then we came to Jam'<sup>4</sup> and he performed the two prayers each one with its own athan and its own iqama, and supper was served in-between, then he prayed Fajr at the break of dawn when some of us believed it had broken and some of us wondered if it had, then he said: 'The Messenger of Allah ﷺ said: These two prayers, Maghrib and Isha, have been

<sup>1</sup> Al-Bukhari, The Chapters of Shortening The Prayer, Chapter 13/1056.

<sup>2</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 5/47.

<sup>3</sup> In Hanafi school, there is no joining of prayers except at Muzdalifa and Arafa as the pilgrims need to because they are busy with the rites of hajj.

<sup>4</sup> Another name for Muzdalifa.

shifted from their times in this place, so people should not enter Jam' until they perform Isha prayer. And Fajr (should be prayed) at this hour."<sup>1</sup>

2. For one who is uncomfortable combining prayers or doubts its permissibility.
3. For one who, if he combines, will be able to pray in congregation, or be free of his continuous hadath or will be able to cover his awra.

### **Cases in which it is obligatory to shorten and join the prayers**

In principle, shortening and combining prayers is permissible but becomes obligatory only if one delays Thuhr to join it with Asr prayer and there is not enough time left to perform them in full. In this case, one is obligated to shorten and join the prayer.

### **The conditions for the advance joining of prayer**

1. To make the intention of joining the prayers in the first of the two, such as saying: "I intend to perform the obligation of Thuhr in advanced combination to Asr prayer." [89] It is preferable to couple the intention of joining the prayer with the opening takbir of the first of the two prayers. It is not valid to make this intention before the opening takbir. It is permissible to make it in the prayer, even at the closing salam but not after.
2. To begin with the first of the two prayers because the Prophet ﷺ joined the prayer this way and he ﷺ said: "Pray as you have seen me pray," and because the first is the principle one while the second is dependent upon it. Hence, the first is performed before the second.

If one performs the second before the first, joining will not be valid if he does so intentionally and knowing it is wrong. In this case, one is obligated to repeat the second immediately after the first if he wants to join the two, otherwise he can delay the second until its proper time in which case joining is not achieved. If one absentmindedly, or out of ignorance, performs the second prayer before the first, the prayer is regarded as making up a missed one, if one has missed prayers of the same type, otherwise, the prayer is considered a wholly non-obligatory prayer.

3. Continuity between the two prayers, because they are considered as one prayer. Hence it is not permissible to separate between them as it is not permissible to separate between the rak'as of one's prayer. If one recalls after performing both prayers that he left a pillar out of the first, he must repeat both of them because the first prayer has become invalid as a result of leaving one of its pillars and not being able to make it up immediately because of the long separation (the second prayer), and the second is invalid as well because of the lack of proper sequence of performance. If one recalls after a short time that one has left out one of the pillars of the second prayer, one can perform the missed pillar and the two prayers are valid. But if one recalls after a long time, the second prayer is invalid and one should re-perform it in its original time because joining is not allowed in the lack of

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 98/599, Having said: "and the supper was in between" indicates that continuity is not stipulated in delayed joining of prayer.

continuity between the two which resulted from the intervention of the void prayer. If one is not certain whether the missed pillar is from the first or the second then one is obligated to repeat both without the advanced joining of them, i.e. by performing each one in its original time, or joining them at the time of the second. That is because if the missed pillar is from the first then both are invalid, and if it is from the second then the second is void and there has been a long delay due to the second void prayer.

Similarly, it is not valid to perform a non-obligatory prayer, even a regular recommended one, between the two joined prayers, and if this is done intentionally then the joining will be invalidated. Rather, non-obligatory prayers should be performed after the joined prayers. There is no recommended order for the performance of non-obligatory prayers, hence one may start with any prayer one desires. Also, it is not valid to perform a funeral prayer between the two joined prayers.

If there is a long interlude between the joined prayers, even for a reason, such as sleep, then the second prayer should be postponed till its original time. Joining is invalidated if one is doubtful that the time interlude between the two joined prayers is long. A short interlude - such as that needed to renew wudu or make tayamum for the second prayer, briefly search for water, or call the iqama for the second prayer - does not matter. A short interlude is as long as it takes to perform two brief rak'as.

4. Continuity of travel until one has entered into the second prayer (by the opening takbir). Consequently, if one arrives while performing the second prayer, his joining of prayers is valid because it is not stipulated to finish the prayer before arrival. If one arrives before entering into the second prayer, one cannot join prayers because the reason for joining, being in travel, is no longer existent. In this case, the second prayer should be performed in its original time but the first one is valid because it was performed in its time and is not subsidiary to another prayer.
5. Being certain, or almost certain, that the first prayer is valid even if it has to be repeated. Consequently, if one lacks the two purifiers or has performed tayamum, even in a place where water is usually available, one can join prayers. By contrast, if a woman is uncertain if she is menstruating, she cannot join prayers because the first prayer is certainly, or probably, invalid because it might have been performed in menstruation. Similarly, it is not valid to join Friday prayer to Asr if it does not count for Thuhr.

## **The conditions for delayed joining of prayers**

1. To intend to join the two prayers before the time of the first prayer is over even if there is only enough time to perform just one rak'a. This is necessary so as to distinguish delayed joining from delaying prayer out of negligence or laziness. If one delays the intention till there is not enough time to perform even one rak'a then one



has committed a sinful act and the first prayer will be considered as a made up prayer.

2. Continuation of travel untill completion of the first prayer, not just entering into it. Hence, if one arrives before finishing the first prayer, it will be considered make up of a missed prayer.

In delayed joining, it is sunna to pray the first prayer before the second and to perform them in succession with no interruption. Succession is not obligatory for the above mentioned hadith narrated by Abdullrahman ibn Yazid.

## Advance joining in rainy weather

It is permissible to advancely join prayers in rainy weather for a congregation whose members come together from far places if all of them will be harmed by the rain. The same is true for hail and snow if they melt as they fall and soak one's clothing. This also applies to damp cold wind in which case it is permissible to join if it soaks the clothing. This does not apply to mud, wind, darkness, illness, fear, or other excuses which permit leaving congregational and Friday prayers. These conditions do not permit joining because they existed at the time of the Prophet ﷺ and it was not reported that he joined prayers because of any of them and for the hadith of the times of prayer which should not be gone against except with another clear evidence. Delayed joining in rainy weather is not permissible. The evidence that it is permitted to advancely join prayers in rainy weather is what Ibn Abbas ؓ said: "The Prophet ﷺ performed Thuhr and Asr prayers together, and Maghrib and Isha prayers together without fear or travel."<sup>1</sup> Malek ؓ said: "I believe that was in rainy weather." Al-Shafi'i has the same opinion.

Some Shafi'i scholars have permitted both advanced and delayed joining of prayers in illness. For example, one may suffer great illness at the time of the first prayer so he delays performing it till the time of the second, or he may suffer in the time of the second so he advances it to the time of the first. However, it is known that illness, mud, cold, wind, and darkness do not permit joining for the above mentioned reasons. Those who permit joining have based this on the hadith by Ibn Abbas ؓ who said: "The Messenger of Allah joined Thuhr and Asr, Maghrib and Isha prayers in Medina without fear or rain."<sup>2</sup> Al-Nawawi said in *Al-Majmu'*: "The evidence is that joining is (permissible) either in illness, or what is similar. Also the need of an ill or frightened person is more urgent than the need of one who has to walk in rainy weather."

<sup>1</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 6/49.

<sup>2</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 6/54.

# FEAR PRAYER

## The reason behind prescribing fear prayer

Since prayer is the greatest pillar of Islam and is obligatory throughout one's lifetime and since it is extremely difficult to perform prayer in its usual form in battles, fear prayer was prescribed out of mercy for people to allow them to perform the prayer under any conditions and to perform it also in congregation.

## Evidence for fear prayer

Allah ﷻ says : "When you are with them, and stand to lead them in prayer, let one party of them stand up (in prayer) with you, taking their arms with them. When they finish their prostration, let them take their position in the rear and let the other party come up, which have not prayed yet, and let them pray with you, taking all precautions and bearing arms..."<sup>1</sup> Also, Allah ﷻ says: "If you fear (an enemy), pray on foot, or riding."<sup>2</sup>

## Cases in which fear prayer is permissible

Fear prayer is permitted in any battle that is not forbidden be it obligatory (such as fighting the unbelievers, aggressors, or highway robbers if the imam fights them) or fighting in defense of one's female family members<sup>3</sup> or oneself. The same is true in permissible fighting such as fighting one who attempts to rob one's own or someone else's property and similar situations. Fear prayer is not permissible in forbidden fighting, such as fighting righteous people, fighting rich people to rob their property, tribal skirmishes and similar motives. This is because fear prayer is a leeway that should not be taken advantage of in sinful actions because it may help one commit sins which is obviously wrong.

## The forms of fear prayer

Sixteen forms of fear prayer have been reported, of which we select only four:

### The Prophet's ﷺ prayer in Usfan

Fear prayer is performed this way when the enemy is in the direction of the qibla and there is no barrier obstructing the ability of the Muslims to see the enemy, and when the Muslims are enough so that each division can fight the enemy on its own. The imam lines up the soldiers in two or more lines as necessary and begins prayer with

<sup>1</sup> Al-Nisa', 102.

<sup>2</sup> Al-Baqara, 239.

<sup>3</sup> e.g. Wife, sister, mother, or daughter.

them all, recites, bows, and straightens from bowing with them all, but when he prostrates only half the soldiers prostrate following him while the other half remains standing in the straightening up position to guard those who prostrated with the imam. When the imam stands up for the second rak'a those who remained standing to guard perform the two prostrations alone and stand up to catch up with the imam. The imam then finishes the standing of the second rak'a, bows, and straightens up and all the soldiers follow him. When the imam then prostrates (for the second rak'a), those who remained standing to guard in the first rak'a, prostrate after him and those who prostrated remain standing to guard. When the imam sits for the testification of faith those guarding finish their second rak'a and join the imam therein. He then should wait until he estimates that all have finished reading the testification of faith and then ends the prayer with salam and everyone follows him.

If the prayer is more than two rak'as, the rest of the prayer is performed similarly. Jaber ibn Abdullah رضي الله عنه said: "I attended fear prayer with the Messenger of Allah ﷺ and he lined us up in two rows, one was just behind the Prophet ﷺ. The enemy was between us and the qibla. The Prophet ﷺ said 'Allahu akbar' and we all did the same after him, then he bowed and we all bowed after him, he raised his head from bowing and we all did so, then he moved down to prostrate and the row just behind him followed while the second row stood facing the enemy. When the Prophet ﷺ finished the prostration and the row behind him stood up, the second row moved down to prostration then stood up, the second row then moved forward and the first row moved back. The Prophet ﷺ then bowed and we all did too, then he raised his head from bowing and so did we all, then he moved down to prostration and the row just behind him, which was second in the first rak'a, followed him while the second row stood facing the enemy. When the Prophet ﷺ and the row behind finished the prostration, the second row moved down to prostrate and prostrated. The Prophet ﷺ then ended the prayer with salam and we all followed."<sup>1</sup>

### **The Prophet's ﷺ prayer in That Al-Riqa'**

This is the first prayer that the Prophet ﷺ performed in fear. The form of this prayer is as follows:

The enemy is in a direction other than the qibla, or in its direction and there is a barrier between them and the Muslims, such that they cannot be seen by the Muslims during the prayer. The imam splits the soldiers into two divisions, if each can fight the enemy alone. One division stands facing the direction of the enemy and guards the Muslims, while the imam stands with the second division where enemy arrows cannot reach and leads them in one rak'a. When the imam stands up for the second rak'a, the followers then make the intention to part with the imam in status and action, and finish the rest of their prayer alone, and go to face the enemy and guard the Muslims. The division which was guarding in the first rak'a now comes

<sup>1</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 57/307.

and joins the imam who has been waiting for them and reciting at length in the second rak'a. When the imam sits for the testification of faith the followers stop following the imam's leadership in action but not in status, without making the intention to part with the imam, finish their prayer, and catch up with him in the testification of faith where he has been waiting for them. The imam then ends the prayer with salam and the second division ends their prayer with him so that they attain the reward of ending the prayer with the imam as the first division attained the reward of starting the prayer with him in the opening takbir. Thus everyone attains the merit of congregational prayer because of its great importance and because the companions of the Prophet ﷺ would not allow skipping it.

The above applies to two-rak'a prayers. If the prayer is three rak'as, the imam leads the first division in two rak'as and they finish their prayer alone, and he leads the second in one rak'a and they finish their prayer, read the final testification of faith, and end their prayer with the imam. If the prayer is four rak'as, the imam performs two rak'as with each division. Also, it is valid to divide the Muslims into four divisions and pray one rak'a with each.

Saleh ibn Khawwat narrated that Sahl ibn Abu Huthma ؓ, who prayed the fear prayer behind the Prophet ﷺ on the day of the battle of That Al-Riq'a', said: "That one group lined up behind him (the Prophet ﷺ), and another stood facing the enemy. So that, he led the ones behind him in one rak'a and he remained standing while they finished their prayer and went away and lined up toward the enemy. The other group then came and he ؓ led them in the remaining rak'a and remained seated while they finished their prayer on their own, then he ended the prayer with them."<sup>1</sup>

## The Prophet's ﷺ prayer in Batn Nakhl<sup>2</sup>

This form is adopted when the Muslims are great in numbers and the enemy is outnumbered and is in a direction other than the qibla, and it is feared that the enemy will attack the Muslims during the prayer. The imam divides the Muslims into two groups, one facing the enemy and he leads the other in the whole prayer and ends with salam whether the prayer is two, three, or four rak'as. When the imam finishes with salam they leave to face the enemy and the other group comes and the imam leads them in this same prayer again. The prayer is considered as a non-obligatory (nafl) prayer for the imam and as obligatory for the followers.

Jaber ؓ narrated that: "He performed fear prayer with the Messenger of Allah ﷺ and the Messenger of Allah ﷺ led one of the groups in two rak'as and led the other in two rak'as, so that the Messenger of Allah ﷺ performed four rak'as, two rak'as with each group."<sup>3</sup>

<sup>1</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 57/310.

<sup>2</sup> Batn Nakhl: A place in the land of Najd, which belonged to the clan of Ghatfan.

<sup>3</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 57/312.

Carrying arms in fear prayer such as was done in Batn Nakhl, That Al-Riqa', and Usfan is called for in Allah's saying: "Taking all precautions and bearing arms." The imperative in this verse has been interpreted as a recommendation. A weapon is any sword, knife, spear, arrow or other old or modern kind of arms. However, shields and armour and the like are not considered weapons.

This recommendation, to carry weapons, is restricted by certain conditions:

1. Purity of the weapon itself. Hence, it is not permissible to carry a weapon stained with blood, nor one dipped in najis poison, nor an arrow tailed with the feather of an inedible or dead bird.
2. The weapon should not prevent one from performing any of the pillars of prayer such as a helmet which may prevent touching the forehead to the ground, unless it is possible to remove it when prostrating.
3. Not to cause harm to anyone with the weapon such as holding a spear amongst people.
4. There must be no danger (supposed or certain) in not carrying weapons. Otherwise, it is obligatory to carry weapons and forbidden not to carry them. In this case, if one does not carry his weapons in prayer his prayer is valid, but he is sinful- like one praying in a land taken by force.

It is not a must to carry the weapon literally, but it is sufficient to place it within one's reach so that one can easily reach it if necessary.

### **Extreme fear prayer**

This kind is mentioned in the Holy Quran in Allah's saying: "If you fear (an enemy), pray on foot or riding."<sup>1</sup> When Ibn Umar ؓ was asked about fear prayer he described it, then said: "If fear is greater than that then they (the companions) would pray standing, or riding, facing the qibla or not." Nafe' said: "I do not believe Abdullah ibn Umar would say this but as condoned by the Prophet ﷺ and following his example."<sup>2</sup>

### **When and who may perform the extreme fear prayer**

Extreme fear prayer is performed when fear of the enemy attack is greatest, or when engaged in permissible fighting, and the two parties are greatly intermingled so that the Muslims cannot abandon the fight, dismount (if they are riding), or change their direction (if they are walking). It is also prescribed when running in permissible retreat (from flood water, fierce animals, thieves, or highwaymen). If someone is in debt and does not have the money and cannot convince the lender that one is bankrupt then if he runs away from the lender because he may imprison him, one is entitled to perform the extreme fear prayer. If one is being chased to be captured or robbed of something, he is entitled to perform extreme fear prayer because he is in fear of injustice which is like being in fear of an enemy. If someone is wanted for retaliation and hopes that the deserving person may forgive him if his anger subsides, then one is permitted to run

<sup>1</sup> Al-Baqara, 239.


<sup>2</sup> Al-Bukhari, Vol. 4, The Book of the Explanation (of Quran), Al-Baqara, Chapter 46/4261.

away and is entitled to perform extreme fear prayer as he runs away because it is recommended for the other person to forgive. By running away one helps the other person to forgive when his anger subsides. Since it is permitted to perform fear prayer in the above case, one does not have to re-perform the prayer.

If the Muslims retreat from fighting the unbelievers, then if their retreat is a strategy of war, or they are returning to one of their troops, or if the number of enemy soldiers is more than twice the number of Muslim soldiers then they can retreat and perform extreme fear prayer. Otherwise, it is **not** permitted to perform it. In fact, it is forbidden.

If the unbelievers retreat and the Muslims chase them and the situation is such that if they stop to perform prayer they will lose the enemy, then fear prayer is **not** permitted because they are not in fear, rather they are pursuers, and fear prayer is only permitted for the fearful. But if the Muslims fear an ambush or a counter attack from the enemy then they are entitled to perform extreme fear prayer.

### **Its form**

If there is hope that fighting will stop before the prayer's time is over, each person prays any way he is able to, but only when there is just enough time left to perform it. Otherwise, if there is no hope of an end to fighting before the end of prayer's time, one may perform the prayer any way he can even at the beginning of the time. If one is unable to prostrate and bow then he nods his head for bowing and prostration. Ibn Umar  said: "If fear is greater than that (than that described in the above mentioned hadith) then perform prayer while riding or standing and nod your head for bowing and prostration."<sup>1</sup> One makes his nod for prostration lower than that for bowing so that they are differentiated.

It is permitted for one to pray behind an imam even though each is in a different direction, even if one is ahead of or unable to see the imam because it is only necessary to know the movements of the imam in prayer but not to actually see him. One performs fear prayer whether riding, walking, facing the qibla or not.

One is forgiven for actions during prayer if these are needed for fighting, such as striking many times. However, if the actions are not needed one's prayer will be invalid. Shouting and much talk invalidate the prayer even if needed. One must drop his weapon if it becomes soiled with najasa such as blood for example, unless one fears great harm from dropping it in which case one must keep his weapon and make up the prayer later.

If fighting ends while one is praying, or one's fear ceases, one should complete one's prayer the way one performs the prayer in peace and one does not have to make the prayer up. If one is praying while riding then comes into security and peace, one should immediately dismount facing the qibla and continue one's prayer. If one keeps riding or turns his back to the qibla while dismounting, one's prayer will be invalid.

If one is performing prayer while standing firmly on the ground facing the qibla then gets fearful during his prayer and thus mounts, one's prayer is **not** invalid if he truly

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<sup>1</sup> Muslim, Vol. 1, The Book of the Prayer of Travellers and Shortening it, Chapter 57/306.

had to mount and he can continue performing his prayer. However, if one is not compelled to mount and rather was able to fight and continue the prayer on foot but he mounted to be on the safe side his prayer will be invalid and he has to do the prayer all over again.

# FUNERALS

## Remembering death, visiting the sick and nursing them

Although death is the greatest of all calamities, to be unmindful of it is an even greater calamity. Therefore, it is sunna to constantly remember death. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Remember often the *terminator of pleasures*".<sup>1</sup><sup>2</sup> It is also obligatory to prepare for death by repenting from sins. Al-Bara' ibn Azeb رضي الله عنه said: "We were in a funeral with the Prophet ﷺ and he sat on the edge of the grave and wept till he wet the ground (with tears) then he said: 'O my brothers, for the like of this prepare (yourselves).'"<sup>3</sup> Ibn Umar رضي الله عنه narrated that the Prophet ﷺ said: "The Messenger of Allah ﷺ took me by the shoulder and said: 'Be in this world as though a stranger or a passer by.'"<sup>4</sup> A sick person is even worthier of preparation.

It is sunna to visit the sick, even those with a slight illness such as conjunctivitis. Zaid ibn Arqam رضي الله عنه said: "The Prophet ﷺ visited me when I had a pain in my eye."<sup>5</sup> Also, Abu Hurayrah رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'The rights of a Muslim upon a Muslim are five: To return his greeting, visit him when sick, follow his funeral, accept his invitation, bless him when he sneezes.'"<sup>6</sup> It is also sunna to visit a sick neighbor even if non-Muslim.

It is sunna to make the visit short and to make du'a for the sick person's recovery if one has hope that he will recover. One of the cherished du'a narrated by Aisha رضي الله عنها is: "The Prophet ﷺ would treat some by passing his right hand upon them saying: 'O Allah, Lord of people, remove the harm and heal for You are the Healer besides whom there is no other healer, a cure that does not leave behind a trace of sickness.'"<sup>7</sup> [90] If one sees that the patient is terminally ill with no hope of survival, one should encourage him to repent and make a will. It is recommended for the family of the sick person, and any one serving him, to be tender, gentle, and tolerant of him, and to patiently bear the hardship of taking care of him. The same applies to someone whose death is eminent because of a death sentence. It is recommended for non-family members to remind the family of the sick person of this. Imran ibn Husain رضي الله عنه narrated

<sup>1</sup> i.e. Death, and it is called the terminator of pleasures because it terminates the pleasures of the lower world.

<sup>2</sup> Ibn Maja, Volume 2, The Book of Asceticism, Chapter 31/4258.

<sup>3</sup> Ibn Maja, Vol. 2, The Book of Asceticism, Chapter 19/4195.

<sup>4</sup> Al-Bukhari, Vol. 5, The Book of Al-Riqaq (the hadith that makes the heart tender by affecting the emotions and feelings of the one who hears them), Chapter 3/6053.

<sup>5</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 9/3102.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 2/113.

<sup>7</sup> Al-Bukhari, Vol. 5, The Book of Medicine, Chapter 39/5418.



that a woman from Juhayna<sup>1</sup> came to the Prophet ﷺ and admitted that she committed adultery and that she was pregnant. The Prophet ﷺ brought one of her guardians and said to him: "Be good to her, and then when she delivers bring her (to me) ..." <sup>2</sup>

It is recommended to pray for one's death to be in a holy land. Zaid ibn Aslam narrated through his father that Umar ؓ said: "O Allah grant me martyrdom for your sake and let my death be in the city of Your Messenger." <sup>3</sup> [91] It is recommended **not** to force the sick to take medicine or food. It is also recommended that one asks the sick person to make du'a for him. Umar ؓ narrated that The Prophet ﷺ said: "If you visit a sick person then ask him to pray for you, for his du'a is like that of angels." <sup>4</sup> It is recommended to counsel the sick person after his recovery, and to remind him to fulfill whatever he had promised Allah (such as repentance from sins or the doing of virtuous deeds). Allah ﷻ says: "And fulfill (every) engagement, for (every) engagement will be enquired into (on the Day of Reckoning)." <sup>5</sup>

## What is sunna for the sick person to do

A sick person is recommended to think well of Allah and to trust that He ﷻ will forgive his sins and accept his repentance. *Jaber ibn Abdullah* ؓ said: "I heard the Messenger of Allah ﷺ three days before his death saying: 'Let one of you not die except in a state of trust in Allah.'" <sup>6</sup> It is makrooh for one to complain, unless asked about his health by a doctor, relative, or friend, in which case he may inform them of his pain calmly, without panic. It is also makrooh for one to wish for death, unless one fears a trial that might turn him away from religion. *Anas ibn Malek* ؓ narrated that the Prophet ﷺ said: "None of you should wish for death because of a calamity that has befallen you, but if you must, then say: 'O Allah, grant me life as long as life is better for me, and send me death if death is better for me.'" <sup>7</sup> [92]

It is sunna for one to seek treatment. *Abu Hurayrah* ؓ narrated that the Prophet ﷺ said: "There is no disease sent by Allah, but has been sent a cure." <sup>8</sup>

Also, one ought to improve his character, avoid animosity over wordly matters, and keep in mind that these may be the last of his moments in this world thus to end them with good deeds. One also ought to ask forgiveness of his spouse, children, relatives, neighbours, friends, and anyone with whom he had any business, agreement, or relationship. One ought to please all these people. One ought busy himself with reading Quran, invocations, and the biographies of the virtuous and their behaviour before death. Also, one must maintain prayer and other religious duties, and advise his family to be patient and not to give in to wailing and sobbing at his death and to avoid

<sup>1</sup> One of the Arab tribes of that time.

<sup>2</sup> Abu Dawood, Vol. 4, The Book of Sentences, Chapter 25/4440.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of the Virtues of Medina, Chapter 11/1791.

<sup>4</sup> Ibn Maja, Vol. 1, The Book of Funerals, Chapter 1/1441.

<sup>5</sup> Al-Isra', 34.

<sup>6</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 17/3113.

<sup>7</sup> Al-Bukhari, Vol. 5, The Book of Patients, Chapter 19/5347.

<sup>8</sup> Al-Bukhari, Vol. 5, The Book of Medicine, Chapter 1/5354.

unrecommended practices in funerals, and to keep praying for him. Abdullah ibn Umar ؓ narrated that: "Hafsa cried over the death of Umar ؓ. So, Ibn Umar said to her: 'Be patient. Don't you know that the Messenger of Allah ﷺ said: The dead person is tortured by the crying of his family over him.'"<sup>1</sup>

## What is sunna for the dying person to do

When death comes, it is sunna for one to lie on one's right side with his face toward the qibla, and if not possible then on the left side, otherwise on one's back with his face and feet towards the qibla, his head lifted with something so that it is facing the qibla. Abu Qatada ؓ narrated: "That when the Prophet ﷺ came to Medina, he asked about Al-Bara' ibn Ma'rur ؓ. They said: 'O Messenger of Allah, he died and left a third of his fortune for you, and when he was struggling with death, he asked to be laid facing qibla.' The Messenger of Allah ﷺ said: 'What he did agrees with *fitra* (pure innate nature), and I return the third of his fortune to his children.' Then he ﷺ went and prayed upon him and said: 'O Allah, forgive him, have mercy on him and allow him to enter Your Paradise, and so You have done.'"<sup>2</sup> [93] It is sunna that the most compassionate among the dying person's mahrams sit next to him to remind him to say "There is no god but Allah ...." It is advised that the person not be a beneficiary of the dying person that the latter may accuse him of looking forward to the inheritance, thus becoming reluctant to repeat after him. If all attendants are beneficiaries of the dying person, then the most merciful towards the dying person should remind him to say "There is no god but Allah" by repeating it in front of him. Abu Sa'id Al-Khadari ؓ narrated that the Messenger of Allah ﷺ said: "Remind the dying to say there is no god but Allah."<sup>3</sup> If the dying person pronounces it, the one sitting next to him should not say it again, unless the dying person says something else after it, in which case the one sitting next to him says it again so that the dying person repeats it thus making it his last words in this world. Mu'ath ibn Jabal ؓ narrated that the Messenger of Allah ﷺ said: "If one's last words are 'There is no god but Allah,' he will enter Paradise."<sup>4</sup> One should not insist upon the dying person, nor say to him: "Say: There is no god but Allah." Lest the dying person gets upset and says bad words before his death.

## What is sunna after someone's death

If one dies, the most gentle among his family should close his eyes so that he does not look ugly, because the eyes follow the soul to see where it goes. Umm Salama ؓ said: "The Messenger of Allah ﷺ entered upon Abu Salama and his eyes were open, so he ﷺ closed them and said: 'When the soul is taken, the eyes follow it ...'"<sup>5</sup>

<sup>1</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 9/16.

<sup>2</sup> Al-Bayhaqi, Vol. 3, Page 384.

<sup>3</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 1/1.

<sup>4</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 20/3116.

<sup>5</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 4/7.

The jaw of the dead person should be bound with something wide to the head so that his jaw does not drop open and cause him to look unsightly, and to stop insects from entering. The joints of the deceased must be moved, and rubbed with ointment if necessary, in order to facilitate washing the body and to stop the body from becoming stiff thus making it difficult to enshroud.

The clothes of the dead person must be taken off and he should be covered with a light sheet. The dead person should be lain on a bed or a board to keep his body from dampness which may cause him to disintegrate. A heavy object should be put on his abdomen to stop the abdomen from swelling. Al-Bayhaqi said: "A servant of Anas ibn Malek died at sunset, so Anas رضي الله عنه said: 'Lay a piece of iron on his abdomen.'"<sup>1</sup>

The deceased should then be lain towards the qibla and supplicated for. The debts of the deceased should be cleared as soon as possible. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "The soul of the believer is tied to his debt until it is paid back on his behalf."<sup>2</sup>

It is recommended to inform family and friends of one's death so they can attend his funeral prayer. It is recommended for the relatives and friends of the deceased to prepare some food for his family. Abdullah ibn Ja'far رضي الله عنه said: "When the news of Ja'far's death reached the Prophet ﷺ, he said: 'Prepare some food for the family of Ja'far for that which will distract them has befallen them.'"<sup>3</sup> Then, the deceased should be prepared, and his will seen to. Ali رضي الله عنه narrated that the Messenger of Allah ﷺ said to him: "O Ali, three things you should never delay: Prayer when its time is present, the funeral when it is due, and a single woman<sup>4</sup> if she finds a suitable husband."<sup>5</sup>

If one dies suddenly, he should be left until it is certain that he is dead by such signs as a slant of the nose, sunken temples, or a slackness in his feet. The opinion of a doctor does not count if these signs do not appear.

## The rights of the dead

People are communally obligated to prepare their dead, according to the following categories:

1. **A non-martyr Muslim.** When a Muslim dies, he should be washed, shrouded, prayed over, and buried. This also applies to a fetus if it showed any signs of life, such as a cry, a movement, a tremble or a breath.

If one dies while in a state of ihram for hajj or umra, a man's head, and a woman's face, should not be covered with the shroud because ihram is not invalidated by death. Such a person is resurrected on the Day of Judgment doing talbiya (saying: Labbayka allahumma labbayk). Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said, about the man who fell off his saddle and was crushed while in a

<sup>1</sup> Al-Bayhaqi, Vol. 3, Page 385.

<sup>2</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 76/1078.

<sup>3</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 21/998.

<sup>4</sup> Whether she has been married before or not.

<sup>5</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 73/1075.

state of ihram: "Wash him with water mixed with *sidr*<sup>1</sup> and shroud him in two pieces of cloth. Do not perfume him, cover his head, or sprinkle *hanout*<sup>2</sup> over him, Allah will resurrect him on the Day of Judgment doing talbiya."<sup>3</sup>

2. **A Muslim martyr**<sup>4</sup>. A Muslim martyr should be shrouded and buried. It is fitter to shroud a martyr in his blood-stained clothes. If these are not sufficient to cover the whole body, they must be complemented with what is necessary to cover it. Yet, it is permissible to shroud him with something else. Clothes that are not usually worn except for war such as armour or combat boots should be removed as with other dead. Ibn Abbas ؓ narrated: "That the Prophet ﷺ ordered that the iron and leather of the dead of (the battle of) Uhud be removed from them and that they be buried in their clothes and blood."<sup>5</sup>

It is forbidden to wash away the blood of the martyr because it is the proof of martyrdom, and it has been narrated that it will smell like musk on the Day of Judgement. Abu Hurayrah ؓ said: "The Messenger of Allah ﷺ said: 'By He in whose hand is the soul of Muhammad, no wound is inflicted for the sake of Allah but it will come on the Day of Judgement like when it was inflicted, its colour the colour of blood and its scent the scent of musk.'"<sup>6</sup>

If another kind of najasa mixes with it, it must be removed even if this causes the blood of martyrdom to get removed.

It is also forbidden to perform the funeral prayer for a martyr and, if done, it is not valid. As for the hadith that mentions that the Messenger of Allah ﷺ went out and performed the funeral prayer upon the dead of Uhud, that is either an exclusive particularity of the Prophet ﷺ, or it means that he supplicated for them as he would for a deceased. It has been mentioned earlier that prayer, in language, also means supplication. This explanation is supported by what has been narrated by Jaber ibn Abdullah ؓ about the dead of Uhud: "That the Messenger of Allah ﷺ ordered that they be buried in their blood and they were not prayed upon nor washed."<sup>7</sup>

3. **A stillborn Muslim fetus**. If a stillborn fetus is born without showing any signs of life after birth then he (or she) should be washed, shrouded, and buried but not prayed upon.
4. **An unformed embryo (or clump of cells)**. Nothing is obligated for it but it is recommended to cover it with a cloth and bury it. However, it is forbidden to pray upon it.

<sup>1</sup> i.e. Lote tree (*Rhamus spina christi*) leaves.

<sup>2</sup> An aromatic compound of camphor, reed perfume, and red and white sandal wood.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Ihsar and the Penalty of Hunting, Chapter 31/1752.

<sup>4</sup> A martyr is one who dies in a battle with the unbelievers or polytheists to uphold the 'word of Allah'. He is a martyr whether he is killed by a non-Muslim or a Muslim by mistake, by the backfiring of his own weapon, or by falling off his mount, and the like. If one dies while fighting oppressors or because of illness even in a battle then he is not a martyr.

<sup>5</sup> Ibn Maja, Vol. 1, The Book of Funerals, Chapter 28/1515.

<sup>6</sup> Muslim, Vol. 3, The Book of Imara, Chapter 28/103.

<sup>7</sup> Ibn Maja, Vol. 1, The Book of Funerals, Chapter 28/1514.

5. **A deceased person from the people of the book.** He must be shrouded and buried, but it is forbidden to pray upon him.
6. **An unbeliever.** It is permitted to wash and bury an unbeliever and to attend his funeral, but it is not permitted to pray upon him, nor to supplicate for him to be forgiven. In fact, by evidence from the Quran and the consensus, it is absolutely forbidden to pray upon, or supplicate for, an unbeliever.

If a deceased Muslim cannot be differentiated from a deceased unbeliever, they are both prayed upon and one then says in his supplication: "O Lord, grant forgiveness for the Muslim among them," or says for each: "O Lord grant him forgiveness if he was a Muslim."

7. **An apostate and a non-Muslim at war with Muslims.** It is only permitted to wash them. Their bodies get no protection or respect and they may be left unless people are harmed by the stench of their bodies then they must be buried.

The cost of preparing the deceased body, such as the price of water, the cost of washing the body, and the price of the shroud is taken from the deceased inheritance and is subtracted from it before paying back any debts (of the deceased), distributing the will, or paying out the inheritance, but not before paying zakat. A well-off husband is obligated to pay the costs of preparing the body of his deceased wife, and her servant, even if from what he inherits from her, even if she was rich, otherwise from her inheritance. If the deceased has left no inheritance then the cost of preparing the body is obligatory on those who were responsible for his sustenance, otherwise from money dedicated to the preparation of the dead, otherwise from the treasury of the Muslims, otherwise from rich Muslims.

## The ghusl of the deceased

The minimum ghusl is to wash the entire body of the deceased with water once. The optimum is to wash the deceased in privacy in a place no one enters except the person giving ghusl and a helper if needed. The guardian of the deceased (the most intimate of his inheritors) may attend even if he/she does not participate, or give help. The body should be dressed in a thin gown that does not prevent water from going through. Aisha رضي الله عنها narrated: "That they gave ghusl to the Messenger of Allah ﷺ while his robe was on, and they poured water over the robe and rubbed him with their hands from above it."<sup>1</sup> Al-Bayhaqi narrated that: "Ali رضي الله عنه gave ghusl to the Prophet ﷺ while a robe was on the Prophet ﷺ and Ali was holding a piece of cloth in his hand moving it under the robe."<sup>2</sup> Also, this is more within the limits of modesty and decency for the deceased. If the person giving ghusl is able to put his hand through the deceased loose sleeve, he should restrict himself to that, otherwise he may tear the sleeve from both sides. If the dress is not loose enough for the body to be moved inside it, it should be

<sup>1</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 32/3141.

<sup>2</sup> Al-Bayhaqi, Vol. 3, page 388.

removed and a sheet should be cast on the body to cover between the navel and the knees.

The body should be laid out on something high such as an elevated board and should be given ghusl with cold salty water, except in the case of necessity (grime or extreme cold) in which case one may warm the water a little, because salt water retards decay and cold water contracts the body. One should gently lay the body on the elevated board slightly inclined to the back. One should place one's right hand under the deceased shoulder and one's thumb under the back of the deceased neck (so that his head does not fall back) while supporting the back with one's right knee and repeatedly passing one's left hand over the deceased bowels with a slight pressure to remove all waste from the deceased abdomen. One then lays the body on its back and washes the private parts with a cloth wrapped round one's left hand, then throws away this cloth and wraps another one round one's hand after washing it with soap and water, and cleans the deceased teeth and nostrils with it. One should then give the deceased wudu like that of a living person with its intention. One then washes the deceased head and beard with sidr<sup>1</sup> or soap, then gently combs the hair of the deceased's head and beard (if the hair is tangled), with a wide toothed comb and is recommended to return any fallen hair to the shroud.

One starts with the deceased right side for Umm Atiya رضي الله عنها said: "The Messenger of Allah ﷺ said about the ghusl of his daughter: 'Start with her right side and the parts of wudu in her.'"<sup>2</sup>

One then washes the body's right side, then the left, then one turns the body on its left side and washes the back of the right side, then the back of the left side in the same way using sidr or the like then rinsing with water from the top of the head to the feet. One then pours plain water on the deceased mixed with the least amount of camphor so as not to change the water's attributes.

All these washes are considered a single washing, because it is the number of washes with plain water that counts. It is sunna to wash twice even thrice if needed, provided one makes them an odd number. Umm Atiya رضي الله عنها, in a different account, said: "The Messenger of Allah ﷺ came in when his daughter died and said: 'Wash her three or five times or more, if you see fit, with water and sidr and mix the water of the last washing with camphor.'"<sup>3</sup>

It is forbidden for the person giving ghusl to look at or touch the deceased's awra. Also, it is recommended **not** to look at the deceased body or touch it except as needed. Therefore, one should wrap a piece of cloth on one's hand or wear gloves then wash the deceased's private parts and the rest of the deceased's body, for the above mentioned hadith of Ali رضي الله عنه. It is recommended to cover the deceased's face with a cloth and remove it after giving him ghusl. If the deceased is in ihram he should not be perfumed, for the above mentioned hadith of Ibn Abbas رضي الله عنه about the man in ihram

<sup>1</sup> A plant that was used at the time of the Prophet as an equivalent of soap.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 10/1197.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 8/1195.

who fell off his camel: "... And do not touch him with perfume." This is true if one dies before the first release from ihram. However, if one dies after the first release, then he is treated like others with respect to applying perfume to his body. It is recommended to burn incense around the body from the moment of death till finishing the ghusl, to cover up any bad odors that may emanate from the body.

If it is not possible to give the body ghusl, for lack of water or any other reason, such as the body being badly burned so that it might disintegrate if washed, then it should be given tayamum instead.

### **About the person giving ghusl**

If the deceased is male he should be given ghusl by a man and if female she should be given ghusl by a woman. A man is permitted to give ghusl to his wife for Aisha رضي الله عنها said: "The Messenger of Allah came back from Al-Baqi' and he found me suffering from a headache and saying 'O my head.' He ﷺ said: 'It is me who should say O my head.' Then he said: 'It would not do you harm if you died before me and I gave you ghusl, shrouded you, prayed over you and buried you.'"<sup>1</sup> A wife may give ghusl to her husband.

If a Muslim man dies and there are none to give him ghusl but an unbeliever man and a Muslim woman, then the unbeliever gives him ghusl and the Muslim woman prays over him. If there are none but non-mahram men when a woman dies, then a non-mahram man may give tayamum to the deceased woman from behind a barrier. Similarly, the reverse is true

If there is najasa on the body of the deceased it is better for the non-mahram man, or woman, to remove that najasa because removing najasa is required at any rate unlike ghusl.

The most suited to give ghusl to a man is the one most suited to pray over him, who, in order of priority is: One's father, grandfather, son, grandson, brother, nephew, uncle, and cousin, then one's freed slaves, then the imam or his delegate, then the extended family members. If they are all in the same degree of relationship, the most knowledgeable in fiqh is given priority to give the deceased ghusl and the oldest to pray over him.

The most appropriate people to give ghusl to a woman are her female relatives, the most appropriate of which is a blood relative, then a non-relative, then the husband, then mahram kin, otherwise she is given tayamum by a non-mahram person.

A young child who has not reached the age whereby he may be desired, may be given ghusl by either a man or a woman. The same applies to an adult hermaphrodite when there are no mahram kin.

It is recommended that the person giving ghusl be trustworthy, because if he notices good signs on the deceased, such as a glowing face, and good smell, it is recommended he mentions it and if one notices the opposite such as a gloomy face, bad smell, or bad appearance one is forbidden to mention it unless for a good reason. Ibn Umar رضي الله عنه

<sup>1</sup> Ibn Maja, Vol. 1, The Book of Funeral, Chapter 9/1465.

narrated the Messenger of Allah ﷺ said: "Mention the good (deeds and character) of your dead and abstain from mentioning their shortcomings."<sup>1</sup> Abu Rafe' ؓ said: "The Messenger of Allah ﷺ said: 'If one gives ghusl to a deceased and keeps (what he sees) to himself, one will be forgiven forty times.'"<sup>2</sup> Abu Huryara ؓ narrated that the Prophet ﷺ said: "No servant of Allah covers up the shortcomings of another servant of Allah in this world but that Allah covers up his shortcomings on the Day of Judgement."<sup>3</sup>

## Enshrouding the deceased

The minimum shroud is a sheet that covers the whole of the deceased body. This is the right of the deceased coupled with the right of Allah. The right of Allah only is a sheet that covers the deceased's awra.

It is sunna that a man's shroud be composed of three parts: One navel to knee cover and two *wrappers*. It is **not** makrooh to add to these an ankle-length shirt and a turban for ibn Umar ؓ said: "When Abdullah ibn Ubay died, his son Abdullah ibn Abdullah came to the Messenger of Allah ﷺ who gave his shirt to him and ordered him to use it to enshroud his father in, then he stood to pray over the deceased."<sup>4</sup> If a shirt and turban are to be used, they should be under the shroud because showing them is like dressing up and the situation is not one of dressing up. However, the best is to restrict oneself to three sheets only. Aisha ؓ said: "That the Messenger of Allah ﷺ was shrouded in three white sheets, made in Sahul (a town in Yemen). Neither a shirt nor a turban were used."<sup>5</sup>

It is sunna for the shroud of a woman to be composed of five pieces: A mi'zar (navel to knee covering), a shirt, a head cover, and two wrappers. Layla bint Qanef Al-Thaqafi ؓ said: "I was among those who gave ghusl to Umm Kulthum, the daughter of the Messenger of Allah ﷺ, when she passed away. The first thing that the Messenger of Allah ﷺ gave to us was a mi'zar then a shirt then a head cover then a wrapper. Then she was wrapped with the other wrapper. She said: The Messenger of Allah ﷺ was sitting by the door holding her shrouding passing it to us one piece at a time."<sup>6</sup>

The three wrappers become obligatory if the cost of the shroud is taken from the deceased money provided that the deceased's property was not sequestered for bankruptcy and he was not in comprehensive debt (even if there is among the inheritors one whose wealth is sequestered for bankruptcy and even if the inheritors do not allow but a single sheet). This is true unless the deceased has stated in his will the he be

<sup>1</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 34/1019.

<sup>2</sup> Al-Bayhaqi, Vol. 3, page 395.

<sup>3</sup> Muslim, Vol. 4, The Book of Filial Obedience, Visiting Relatives and Good Manners, Chapter 21/72.

<sup>4</sup> Al-Bukhari, Vol. 4, The Book of the Explanation (of Quran), Al-Tauba, Chapter 161/4395.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 24/1214.

<sup>6</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 36/3157.



shrouded in one sheet only in which case the second and third sheets are eliminated to honor the deceased will.

If the cost of the shroud is from the money of the person who was responsible for the dead person's sustenance, from the Treasury of Muslims, from money dedicated to prepare the dead, or from the rich among Muslims, then a single sheet that covers the entire body (except the head of a man who dies in ihram and the face of a woman likewise), is obligatory.

If the deceased's property was sequestered for bankruptcy then the obligatory shroud is one that the creditors permit provided it is not less than a cloth covering the whole body. If they permit a single sheet covering the deceased awra only, they should not be obeyed. It is permissible for them to agree with the inheritors to make the shroud of three wrappers.

It is recommended to choose a good shroud. Jaber رضي الله عنه narrated that the Prophet ﷺ said: "If one of you shrouds his brother then let him enshroud him in a good shroud."<sup>1</sup> Choosing a good shroud means choosing a white shroud for Abu Al-Muhallab Samura ibn Jundab رضي الله عنه narrated that the Prophet ﷺ said: "Wear white clothes for they are the best of all your clothes and use them for shrouds for your dead."<sup>2</sup> Hence, it is makrooh for the shroud to be coloured such as parts dyed with saffron above the deceased's head or below his feet. Choosing a good shroud also means to choose a clean, well made, and heavy fabric one. Yet it should not be expensive for Ali رضي الله عنه narrated: "I heard the Messenger of Allah saying: 'Do not choose an expensive shroud for it does not last long.'"<sup>3</sup> It is recommended to hang the shroud and burn incense under it until it is saturated with the scent, but not for a person who died in ihram.

It is permissible to shroud the deceased with what was permissible for him to wear when alive. Hence, it is forbidden to shroud a man with silk, but permissible to shroud a woman with it, though it is makrooh because it is a waste of money. It is best for the shroud to be cotton.

It is recommended for the shroud to be used, because it is to absorb the deceased's decay. Aisha رضي الله عنها said: "Abu Bakr رضي الله عنه looked at a garment that he was wearing during his illness and it has some stains of saffron then he said: 'Wash this garment of mine and add two more and enshroud me with them.' I said: 'This is worn out.' He said: 'A living person has more right to wear new clothes than a dead one, the shroud is only for body's discharge of pus and blood.'"<sup>4</sup>

It is sunna to lay the best and widest wrapper first and to sprinkle it with hanout, then the second, then the third which will be in contact with the deceased's body and to sprinkle each with hanut and camphor. The deceased, while covered, should then be carried to the shrouds and laid on them on his back. Cotton is then dipped in hanut and camphor, then placed between the buttocks and tied with a 'loin cloth'. Cotton is put

<sup>1</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 15/49.

<sup>2</sup> Al-Nasa'i, Vol. 4, page 34.

<sup>3</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 35/3154.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Funerals, Chapter 92/1321.

into body openings such as the mouth, the nostrils, the eyes, the ears and open wounds, if any, in order to suppress bad smells and keep insects from getting in through these openings. Some camphor should also be applied to the places of prostration. Abdullah ibn Mas'oud رضي الله عنه said: "Camphor is applied to the places of prostration,"<sup>1</sup> because these places have been honored with prostration, hence they are specifically distinguished with perfume. The body should then be wrapped with the sheet under it by wrapping the right side over the left one. The second and third sheets are wrapped likewise. The shrouds are then tied (unless the deceased was in ihram) and are only untied inside the grave.

It is makrooh to use a shroud obtained with ill gotten money. The deceased may be shrouded with clothing left by a virtuous person though the inheritor may exchange it for something else and he is not obligated to shroud the deceased with it because its ownership is transferred to him by death.

It is **forbidden** to write any verses of the Quran, or any of the glorified names of Allah, on the shroud so as not to get contaminated with the pus of the deceased.

## **Praying over the deceased (funeral prayer)**

### **The legal status of funeral prayer**

Praying over the deceased is a communal obligation, even if only parts of the deceased can be found such as the head or legs. Praying over the deceased is not fulfilled if performed by females alone if there are males around, even a single discriminating young boy should be requested by the women to pray over the deceased. If there are no men, or boys, then the obligation of funeral prayer is fulfilled if women perform it individually, or in congregation, whether the deceased is male or female.

### **The conditions for the validity of the funeral prayer**

In addition to the general conditions for the validity of prayer such as purification, covering the awra, and facing the qibla, funeral prayer is only valid if performed after giving the deceased ghusl, or tayamum. It is valid to postpone enshrouding the deceased until after the funeral prayer though this is makrooh.

### **The pillars of funeral prayer**

1. Making the intention. The obligations of this intention are the same as those of other prayers (determination, specificity and the intention of performing an obligation). One says something to the effect of: "I intend to perform the communal obligation of funeral prayer over this deceased person (or over that whom the imam is praying over)." It is not stipulated to name the deceased. Funeral prayer is valid even if the intention of the imam is different from that of the follower. The prayer is valid even if the imam intends to pray over a present, or absent, deceased and the follower intends otherwise.

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<sup>1</sup> Al-Bayhaqi, Vol. 3, page 405.

2. Standing upright for one who is able to.
3. Saying "Allahu akbar" four times including the opening one. Jaber رضي الله عنه narrated: "That the Prophet ﷺ prayed over Ashama Al-Najashi and exclaimed Allahu akbar four times."<sup>1</sup> Also, Hamid narrated: "Anas led us in a funeral prayer and repeated 'Allahu akbar' three times then finished with salam. When he was told what he did, he faced the qibla, said the fourth, then finished with salam."<sup>2</sup>
4. Reading the Fatiha (or an alternative if unable to). Ubada ibn Al-Samet رضي الله عنه narrated that the Prophet ﷺ said: "It does not count as prayer if one does not read the Mother of The Book."<sup>3</sup>
5. Invoking the blessing on the Prophet ﷺ after the second "Allahu akbar," because funeral prayer is like any other prayer, hence, it is obligatory to invoke the blessing on the Prophet ﷺ in it. Following the example of the Prophet ﷺ and his companions, it is not valid to invoke the blessing on the Prophet ﷺ except after the second "Allahu akbar." The minimum is to say: "O Allah, bless Muhammad." [94]
6. Making du'a for the deceased. It is not sufficient to supplicate for the believers in general. Abu Hurayrah رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying 'If you pray over a deceased then make du'a for him sincerely.'"<sup>4</sup> Supplication should be after the third takbir<sup>5</sup>. The minimum supplication is anything considered as such.  
If the deceased is a child, it is sufficient to supplicate for his parents. Al-Mughira ibn Shu'ba رضي الله عنه said: "... And the stillborn is prayed over and du'a for forgiveness and mercy is made for his parents."<sup>6</sup>
7. To perform the first salam as it is performed in other prayers. Abdullah ibn Mas'oud رضي الله عنه said: "People have abandoned three things that the Messenger of Allah ﷺ used to do. One of which is to perform salam at (the end of) funeral prayer like that in prayer ..."<sup>7</sup>

## The sunnas of funeral prayer

1. To perform the funeral prayer in a mosque. Aisha رضي الله عنها said: "The Messenger of Allah ﷺ did not pray over Suhayl ibn Al-Bayda' but in the mosque."<sup>8</sup>
2. To perform it in congregation, in three or more rows. Malek ibn Hubayra رضي الله عنه said: "The Messenger of Allah ﷺ said: 'If a Muslim dies and is prayed over by three

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Funeral, Chapter 63/1269.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Funeral, Chapter 63.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of the Description of Prayer, Chapter 13/723.

<sup>4</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 60/3199.

<sup>5</sup> The reason that the places of 'blessing the Prophet ﷺ' and 'supplicating for the deceased,' unlike that of the Fatiha, are defined is that the aim of the funeral prayer is to intercede for the deceased which is achieved by making du'a for him and blessing the Prophet ﷺ to make one's du'a more acceptable. Hence, the place of each of these is determined, except the Fatiha, to show that reading it is not an integral part of the funeral prayer.

<sup>6</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 49/3180. Abu Dawood said: "I think that the family of Ziad, one of the men in the chain of reporters of this hadith, told me that Al-Mughira ascribed it to the Prophet ﷺ."

<sup>7</sup> Al-Bayhaqi, Vol. 4, page 43.

<sup>8</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 34/99.

rows of Muslims he is guaranteed Paradise.”<sup>1</sup> The greater the congregation the better, for the above mentioned hadith of Abu Hubayra. Aisha رضي الله عنها also narrated that the Prophet ﷺ said: “If a deceased is prayed over by a group of Muslims, no less than a hundred, all interceding for him, he will be forgiven his sins.”<sup>2</sup>

3. For the imam to stand at the body's head if it is male and at its waist if it is female, and for most of the followers be to the right of the imam. Abu Ghaleb said: “I prayed with Anas ibn Malek the funeral prayer of a man and he stood up close to the deceased's head. Then they brought a deceased woman from Quraish and they said: ‘O Abu Hamza<sup>3</sup>, pray over her.’ So, he stood by the middle of her coffin. Al-Ala' ibn Ziad said to him: ‘Is this where you saw the Prophet ﷺ stand in the place you stood for this funeral prayer and for a man in the place you stood before?’ Anas said: ‘Yes,’ and when he finished he said: ‘Remember.’”<sup>4</sup>
4. To raise the hands parallel to one's shoulders each time one says “Allahu akbar,” then to hold them together under the chest, placing the right hand over the left like in other prayers.
5. To say the Fatiha after the opening takbir.
6. To invoke the blessing on the Prophet with the words of the testification of faith.
7. To make the following du'a (after making du'a for the deceased) based on what Abu Hurayrah رضي الله عنه said: “The Messenger of Allah ﷺ prayed over a deceased then said: ‘O Allah, forgive those of us who are alive and those who are dead, those who are young and those who are old, those who are male and those who are female, those present and those absent. O Allah, let those of us You give life to live by faith, and let those of us You bring death to die in a state of Islam. O Allah do not withhold from us the reward of patiently bearing his loss nor let us go astray after his death.’”<sup>5</sup> [95] It is sunna to supplicate with what is narrated in hadith such as that narrated by Auf ibn Malek رضي الله عنه: “I heard the Prophet ﷺ, after praying over a deceased, saying: ‘O Allah forgive him, have mercy on him, overlook his sins, give him an honourable residence and make his entry spacious. Wash him with water, snow and hail. Purify him of sins as the white garment is purified from filth, give him in exchange a house, family, and wife better than his and save him the calamity of the grave and the torture of Hellfire.’”<sup>6</sup> [96]

The optimum supplication is one collected, arranged, and favoured by Al-Shafi'i from a collection of hadith, namely: “O Allah, this is Your servant, and son of Your servant. He has left this world and its spaciousness, in which were the things and people he loved, for the darkness of the grave and that which he will meet. He used to testify that there is no god but You alone without a partner, and that Muhammad is Your servant and messenger. You know him better than we do. O Allah, he has

<sup>1</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 43/3166.

<sup>2</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 18/58.

<sup>3</sup> Another name for Anas ibn Malek رضي الله عنه.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 45/1034.

<sup>5</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 60/3201.

<sup>6</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 26/86.

gone to remain with You, and You are the best to remain with. He is now in need of Your mercy, and You have no need to torment him. We come to You in desire for You, interceding for him. O Allah, if he did well, treat him even better, and if he did wrong, disregard it and through Your mercy show him Your good pleasure and protect him from the trial and torment of the grave. Make his grave spacious for him and distance the soil from his sides, and through Your mercy protect him from Your torment until You raise him and send him safely to Your paradise. O Most Merciful of the Merciful.”<sup>1</sup> [97]

In a child’s funeral, it is sunna to say the above mentioned du’a narrated from the Prophet ﷺ by Abu Hurayrah ؓ: “O Allah, forgive those of us who are alive and those who are dead...” [95] Then one makes du’a for the child’s parents saying: “O Allah, send him ahead to smooth the way for his parents, and make him a reason for reward, a treasure, admonition, reflection and intercessor. Make the scales of their good deeds heavy through him, and fill their hearts with patience. Do not try them after him nor withhold from them his recompense.”<sup>2</sup> [98] This is of course if the parents are Muslims and alive.

8. To make du’a after the fourth “Allahu akbar” saying: “O Allah, do not withhold from us his reward, nor try us after him but forgive us and him.”<sup>3</sup> [99]
9. To make a second salam.

According to the above, the optimum form for the funeral prayer is as follows:

1. To say the opening takbir coupled with the intention.
2. To say the Fatiha to oneself<sup>4</sup> after saying “I take refuge in Allah from the accursed Devil” and without reading the opening supplication. One then is recommended to say “ameen” at the end of the Fatiha<sup>5</sup>.
3. To say “Allahu akbar” a second time and then bless the Prophet ﷺ.
4. To say “Allahu akbar” a third time and make du’a for the deceased.
5. To say “Allahu akbar” a fourth time and make du’a (in general).
6. To end the prayer with salam.

## Notes for the follower

- If, without an excuse, the follower lags behind the imam by one takbir that the imam has started with the next one, then the follower’s prayer is invalid because each takbir stands for one rak’a. Skipping ahead of the imam is like lagging behind him.
- If the follower catches up with the imam other than in the opening takbir, he must follow the order of his own prayer, then perform the takbir, and associated du’a he missed, after the imam’s salam.

<sup>1</sup> Al-Majmu', Vol. 5, page 196.

<sup>2</sup> Al-Majmu', Vol. 5, page 196.

<sup>3</sup> Al-Majmu', Vol. 5, page 197.

<sup>4</sup> The same is true for the du’a and everything else in the funeral prayer, even if it is performed at night, except for the takbir which is pronounced aloud.

<sup>5</sup> It is not sunna to read a sura after the Fatiha because funeral prayer is meant to be short in order to hasten with the funeral.

## The most eligible to pray over the deceased

The most eligible to pray over the deceased are his paternal relations, then the slaves he had set free, then the imam or his deputy, then his relatives. This is because the aim of funeral prayer is to make du'a for the deceased and the du'a of the above mentioned, in the above order, is more likely to be answered.

### Sequel

1. It is valid to pray over an absent deceased person for it is narrated that the Prophet ﷺ prayed over Al-Najashi, when he died in Al-Habasha<sup>1</sup>, in Medina. Umran ibn Hussain ؓ said : "The Messenger of Allah ﷺ said: 'A brother of yours (meaning Al-Najashi) has died, so rise and pray over him.'"<sup>2</sup>
2. It is valid to pray over a buried person if he was deserving of a funeral prayer at the time of his death but was not prayed over for some reason. Ibn Numair ؓ said: "The Messenger of Allah ﷺ reached a fresh grave and prayed over it and they (the companions) lined behind him and he ﷺ did takbir four times."<sup>3</sup>
3. It is permissible to pray over a deceased more than once such as praying over him while in the mosque and then again after burial. Also, it is permitted for women to pray over the deceased at home before men's prayer in the mosque. Aisha ؓ narrated: "That when Sa'id ibn Abu Waqqas died, the wives of the Prophet ﷺ were informed to come to his funeral in the mosque and pray over him, so they did, and his body was placed next to their rooms and they prayed over him."<sup>4</sup>

## Carrying the deceased

Carrying the deceased is a communal obligation and should not be seen as demeaning or humiliating. On the contrary, it is obedience to Allah, and respect for the deceased and was done by the companions of the Prophet ﷺ and all virtuous people. The deceased body should only be carried by men. Abu Sa'id Al-Khadari ؓ narrated that the Messenger of Allah ﷺ said: "When the body is put in the coffin and the men carry it on their shoulders, if the deceased was righteous, it will say: 'Make haste and present me,' and if he was not righteous, it will say: 'Woe unto it! Where are they taking it to?' Its voice is heard by all, except humans for were they to hear it, they would fall unconscious."<sup>5</sup>

It is best for the body to be carried by five persons, and it is forbidden to carry it in a disgraceful manner such as carrying it in a basket or the like and it is forbidden to carry the deceased in a manner in which he may fall. It is sunna to hasten with the funeral for Abu Hurayrah ؓ narrated that the Messenger of Allah ﷺ said: "Make

<sup>1</sup> Known today as Ethiopia.

<sup>2</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 22/67.

<sup>3</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 23/68.

<sup>4</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 34/100.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 49/1251.

haste with the coffin for if the person was righteous you are forwarding it to welfare and if he was otherwise then you are putting an evil thing off your shoulders.”<sup>1</sup>

## Following the funeral

It is recommended to follow the bier and not to leave until the deceased has been buried. Abu Hurayrah رضي الله عنه narrated: “That the Messenger of Allah ﷺ said: ‘One who attends the funeral until he prays over the deceased will have one qirat (of reward) and one who attends it until the deceased is buried will have two qirats.’ They said: ‘What are two qirats?’ He ﷺ said: ‘Like two great mountains.’”<sup>2</sup>

It is sunna to walk in front of the bier and close to it though one is permitted to walk wherever one desires around it for the above mentioned hadith by Al-Mughira ibn Shu’ba رضي الله عنه which states: “Those riding should remain behind the bier and those walking should walk ahead, near the bier to the right, or the left.”<sup>3</sup> Salem narrated that his father رضي الله عنه said: “I saw the Prophet ﷺ, Abu Bakr, and Umar walking in front of the bier.”<sup>4</sup> Since, one who attends the funeral intercedes for the deceased on the Day of Judgement and the intercessor should be ahead of the mediated for.

It is makrooh to talk nonsense in a funeral or to follow it with a *wailer* or a torch. Amr ibn Al-Aas رضي الله عنه said, when he was dying: “If I die then let me not be accompanied by a wailing woman or fire.”<sup>5</sup>

It is makrooh for women to follow the bier. Umm Attiya رضي الله عنها said: “We were told not to follow funeral processions but we were not forbidden to.”<sup>6</sup> Also, it is makrooh to ride when following a funeral except for an excuse, though there is no harm if one rides when returning from the funeral. Jaber ibn Samura رضي الله عنه narrated: “That the Prophet ﷺ followed the funeral procession of Abu Dahdah رضي الله عنه on foot and returned on horse back.”<sup>7</sup> It is not makrooh for a Muslim to follow the funeral of his unbeliever relative. Ali رضي الله عنه said: “I said to the Prophet ﷺ: ‘Your misguided uncle has died.’ He ﷺ said: ‘Go and bury your father.’”<sup>8</sup>

If a funeral passes by, one is recommended to say: “Allah who never dies is exalted above all limitations,” [100] or say: “The Sovereign, The Holy One is exalted above all limitations,” [101] and to make du’a for the deceased and mention his good deeds if he is worthy of that.

## Burying the deceased

Burying the deceased is a communal obligation because leaving the deceased above the ground is a violation of his sanctity and a source of harm to the living. Burial should be

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 50/1252.

<sup>2</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 17/52.

<sup>3</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 49/3180.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 26/1007.

<sup>5</sup> Muslim, Vol. 1, The Book of Faith, Chapter 54/192.

<sup>6</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 29/1219.

<sup>7</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 29/1014.

<sup>8</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 70/3214.

undertaken by men because it requires great might and strength. The most suited to perform the burial is the most suited to pray over the deceased. The most suited to bury a woman is her husband, followed by her mahram relatives.

### **The obligations of burial**

The obligatory in burial is to rest the deceased in the grave facing the qibla. It is not sufficient to place him on the surface of the ground and build above him unless it is impossible to dig.

If one dies in a ship away from the shore, then the deceased is tied between two boards (so that he does not swell) and thrown into the sea after giving him ghusl, shrouding, and praying over him.

### **The conditions of the grave**

The minimum grave is a ditch that seals the smell of the body and guards it against wild animals<sup>1</sup>. The optimum is a hole as deep as the height of an average man with his arms fully extended upwards. Umar ؓ recommended that graves be dug as deep as a body-and-arm's length. Hisham ibn Amer ؓ narrated that the Prophet ﷺ said to them on the day of the battle of Uhud: "Dig deep and make it wide."<sup>2</sup>

### **The sunnas of burial**

1. That it be in a graveyard because the Prophet ﷺ used to bury the dead in Al-Baqi' and because one may receive du'a from the many people who visit the graveyard. It is permissible to bury the deceased in one's house because the Prophet ﷺ was buried in Aisha's room ؓ.
2. For relatives to be buried in the same area. Al-Mutta'leb ؓ narrated: "That the Prophet ﷺ left a stone by the head of Uthman ibn Math'oun and said: "(By which) I will recognize the grave of my brother and bury next to him those who die of his relatives."<sup>3</sup>
3. Not to bury at night or at a time in which prayer is forbidden, though it is not makrooh to do so. Ibn Abbas ؓ narrated: "That the Messenger of Allah ﷺ passed by a grave of someone who had been buried at night. He said: 'When was this person buried?' The people said: 'Yesterday.' He said: 'Why did you not inform me?' They said: 'We buried him in the dark of the night and we hated to wake you up.' He stood up and we stood behind him. Ibn Abbas said: I was one of them, and the Prophet ﷺ prayed over him."<sup>4</sup>
4. That those in charge of burial be men - because women are weaker and they may get uncovered during burial - and that their number be odd, that is one man if sufficient otherwise three, otherwise five.

<sup>1</sup> Hence, burying in graves which are filled with soil without stones, such as in some rural areas, is forbidden because they do not protect against wild animals.

<sup>2</sup> Al-Nasa'i, Vol. 4, page 81.

<sup>3</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 63/3206.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 54/1258.



5. To bury in a *lahd* if the earth is hard and in a *shaqq* if it is loose so that the earth does not collapse over the deceased. Sa'id ibn Abu Waqqas ؓ said when he was on his death bed: "Dig a lahd for me and erect bricks above me as was done with the (body of the) Messenger of Allah ﷺ."<sup>1</sup> The shaqq is a trench dug into the floor of a grave, shaped like a river bed, above which a slab of stone is placed. Whereas a lahd is a niche, as long as the deceased's body, built into the base of the grave's wall which is in the direction of the qibla. After digging the grave and making it a body-and-arm's length deep, a niche is dug in its side. The lahd is then sealed, after placing the deceased inside it, with bricks and the entire grave is then filled with soil.
6. To cover the grave, while burying, with a canopy whether the deceased is a man or woman. Ibn Abbas ؓ said: "The Messenger of Allah ﷺ shaded the grave of Sa'id with his dress."<sup>2</sup>
7. To place the head of the deceased near the foot of the grave and then gradually slide the body in. Ibn Abbas ؓ said: "The Messenger of Allah ﷺ was slid (into the grave) head-first."<sup>3</sup>
8. To lay the cheek of the deceased directly on earth and it is makrooh to place a pillow or box under the deceased's head even if he asked for it in his will, unless it is needed because the earth is damp for example. Umar ؓ said: "When you lay me in the lahd then lay my cheek directly against the earth."<sup>4</sup> Abu Musa Al-Ash'ari ؓ said: "Do not put anything between me and the earth."<sup>5</sup>
9. To lean the body's head and feet to the wall of the grave and to support his back with a brick or the like so that he does not roll over on his face. And, to lie the body on its right side, like a sleeping person or one praying while lying down. It has been mentioned that the Messenger of Allah ﷺ said to Al-Bara' ibn Azeb ؓ: "When you come to your bed then make wudu like that for prayer and lie on your right side."
10. To say when laying the body: "In the name of Allah, and following the religion of the Messenger of Allah." [102] Al-Shafi'i ؓ said: "Then one says: 'O Allah, he has been delivered to You by the poverty stricken sons, family, relatives, and brothers. He has left those he loved being close to. He left the spaciousness of this world and life for the darkness and narrowness of the grave. He has gone to remain with You, and You are the best to remain with. If You punish him then it is indeed for a sin, and if You forgive him then You are the best to forgive. You have no need to torment him and he is now in need of your mercy. O Allah reward him for his good deeds and forgive his sins, and protect him from the torment of the grave, and through Your mercy protect him from Your torment and save him every horror between him and Paradise. O Allah, replace him in those he left, and raise him high,

<sup>1</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 29/90.

<sup>2</sup> Al-Bayhaqi, Vol. 4, page 54.

<sup>3</sup> Al-Bayhaqi, Vol. 4, page 54.

<sup>4</sup> Al-Majmu', Vol. 5, page 254.

<sup>5</sup> Al-Majmu', Vol. 5, page 254.

and grant him Your forgiveness. O Most Merciful of the Merciful.”<sup>1</sup> [103] One may make a different du’a if one wishes.

11. For everyone around the grave to throw three handfuls of earth into the grave using both hands. Amer ibn Rabi’a narrated that his father said: “I saw the Prophet ﷺ when he buried Uthman ibn Math’oun and he prayed upon him, said: ‘Allahu akbar’ four times and threw in soil with both hands three times while he was standing over the grave.”<sup>2</sup>
12. Not to add to the soil which has been dug out of the grave. Though there is no harm if a little is added. The surface of the grave should rise by one span (about 23 cm) above the ground. Al-Qasem ibn Muhammad said: “I came in to Aisha and said: ‘O Mother, show me the graves of the Prophet ﷺ and his two companions,’ and she uncovered for me three graves that were neither high nor level, across *the red floor*.”<sup>3</sup>
13. To smooth and level out the surface of the grave and to place pebbles on it, and sprinkle it with water because the Prophet ﷺ did that to the grave of his son Ibrahim. And because, if a grave is not sprinkled its place will no longer be known.
14. That a group of people stand by the grave after burial to make du’a, ask forgiveness for the deceased, ask Allah to make him steadfast, and read some Quran, and it is best to read it all. Uthman said: “When the Prophet ﷺ finished burying a dead person he would stand by him and say: ‘Ask forgiveness for your deceased and ask that he is given steadfastness because he is now being questioned.’”<sup>4</sup>

It is also sunna to teach the deceased what to say. Sa’id ibn Abdullah Al-Audi said: “If one of your brothers dies and you level the ground above his grave then let one of you stand by the head of his grave and say: ‘O so and so,’ and the deceased hears him but does not answer. Then let one say: ‘O so and so,’ and the deceased sits up. Then let one say: ‘O so and so,’ and the deceased says: ‘Lead me to the mercy of Allah’ but you do not hear him. Then let one say: ‘Remember what you left this world upon: Testifying that there is no god but Allah and that Muhammad is the Messenger of Allah and His servant and that you have accepted Allah for your Lord, Islam for your religion, Muhammad for a Prophet, and Quran for guidance.’”<sup>5</sup> [104]

15. To put living plants and flowers on the grave because they ask forgiveness for the deceased so long as they are green, for the previously mentioned hadith about those being tortured in their graves in which it is mentioned that the Prophet ﷺ put palm fronds on the two graves and said: “May it lessen their torture as long as it is green.” It is not permitted to remove the plant before it is dry other than by the one who placed it.

<sup>1</sup> Al-Majmu’, Vol. 5, page 256.

<sup>2</sup> Al-Bayhaqi, Vol. 3, page 410. He said that its chain is weak but it has a witness.

<sup>3</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 72/3220.

<sup>4</sup> Al-Bayhaqi, Vol. 4, page 56.

<sup>5</sup> Al-Tabarani, Majma’ Al-Zawa’id (The Collection of Supplements), Vol. 3, page 45.

## What is makrooh in burial

It is makrooh to erect the grave, to cover it with plaster, or to write on it. Jaber رضي الله عنه said: "The Prophet ﷺ forbid plastering the graves, writing on them, building on top of them, or stepping on them"<sup>1</sup>. Because all this is considered decoration.

## What is forbidden in burial

A person should not be buried in a previous grave unless it is certain that the corpse has completely disintegrated and that nothing of the remains is left. This is best determined by people with experience and know-how of their particular land. Also, it is forbidden to bury two in one grave because the Prophet ﷺ buried one person per grave. But, if necessity dictates, then it is permitted because the Prophet ﷺ combined each two of the dead of Uhud in one sheet. Jaber ibn Abdullah رضي الله عنه narrated that: "The Prophet ﷺ used to join the dead of Uhud in pairs."<sup>2</sup> If necessity dictates that a man be buried with a woman (in the same grave), a barrier of earth should be made between them and the man should be laid in front of her, as if they were living, even if he is her son.

Similarly, it is forbidden to bury an unbeliever in a Muslim graveyard or to bury a Muslim in a graveyard for the unbelievers. It is forbidden to dig out a grave before the body has completely disintegrated.

## Visiting the graves

Visiting the graves is sunna for men. Abu Hurayrah رضي الله عنه said: "The Prophet ﷺ visited the grave of his mother ... and he ﷺ said: 'Visit the graves for they remind (you) of death.'"<sup>3</sup>

Visiting the graves is makrooh for women because they lack patience, though it is not forbidden. Anas رضي الله عنه narrated: "That the Prophet ﷺ passed by a woman weeping over a grave so he ﷺ said: 'Fear Allah and have patience.'"<sup>4</sup> Thus, the Prophet ﷺ did not forbid her from the visit. However, if by going to graves, it is believed that they may cause temptation then women are forbidden to visit. It is this meaning that is conveyed by the hadith of Ibn Abbas رضي الله عنه in which he said: "The Messenger of Allah ﷺ invoked curses upon women who visit the graves and upon those who build mosques and lights upon graves."<sup>5</sup> The grave of the Messenger of Allah ﷺ is an exception and women are indeed recommended to visit it. The same is true for the graves of the prophets and the virtuous.

The visitor is recommended to say what the Messenger of Allah ﷺ taught his companions to say when visiting graves, as narrated by Burayda رضي الله عنه: "Peace be upon you dwellers of this place of believers and Muslims. We, when Allah is willing, are

<sup>1</sup> Al-Tirmithi, Vol. 3, The Book of Funerals, Chapter 58/1052.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 72/1280.

<sup>3</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 36/108.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 31/1223.

<sup>5</sup> Abu Dawood, Vol. 3, The Book of Funerals, Chapter 82/3236.

following you. I ask Allah forgiveness for you and us.”<sup>1</sup> [105] One may add: “O Allah, do not withhold from us their reward, nor try us after them, and forgive us and them.” [106] One is recommended to read Quran as much as one can such as sura Yasin, to supplicate for the deceased and to all in the graveyard, and to give charity with the intention of forgiveness for the deceased. One is recommended to get as close to the grave as one would have approached the deceased if he were living, and to greet him close to his head.

It is makrooh to kiss the grave, or coffin, or to hold either, because such is the habit of the Christians and also because it involves glorifying the grave which is forbidden by the sunna of the Prophet ﷺ.

It is makrooh to sit, step, or lean on the grave except for an excuse. Abu Hurayrah رضي الله عنه said: “The Messenger of Allah ﷺ said: ‘It is better for one of you to sit on a burning piece of coal that burns through one’s clothes and reaches his skin than to sit on a grave.’”<sup>2</sup> Obviously, it is makrooh to spend the night in a graveyard as it is a desolate place.

## Consolation

**Literally:** To console means to encourage one who has lost a loved one, to have patience.

### The legal status of consolation

Consolation is sunna. Usama ibn Zaid رضي الله عنه said: “The daughter of the Prophet ﷺ sent (a messenger) to the Prophet ﷺ requesting him to come to her as her son had just died. He returned the messenger and told him to convey his greeting to her and say: ‘Whatever Allah takes is His and whatever He gives is His and everything with Him has an appointed time and so she should be patient and hope for Allah’s reward.’”<sup>3</sup>

One is recommended to offer condolences to all the relatives of the deceased, old and young, male and female, except a young woman who may only be consoled by her mahram relatives. It is more confirmed to console the weak, and young children.

### The words of consolation

One is recommended to say what Al-Khadari رضي الله عنه said to the household of the Messenger of Allah ﷺ, namely: “In Allah, Praised and Almighty, there is consolation for any disaster and a replacement for anyone who perishes and a compensation for the loss of anything. So have faith in Allah, and supplicate to Him, because one who is truly afflicted is one who is deprived of reward.”<sup>4</sup> [107]

One is recommended to supplicate for both the deceased and the person he is consoling. A well known saying is: “May Allah make great your reward, perfect your consolation, and forgive your deceased.” [108]

<sup>1</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 35/104.

<sup>2</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 33/96.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 32/1224.

<sup>4</sup> Al-Majmu’, Vol. 5, page 273.

If one consoles a Muslim for an unbeliever, one says: "May Allah increase your reward and perfect your consolation." [109] And, if one consoles an unbeliever for a Muslim, one says: "May Allah perfect your consolation and forgive your deceased." [110] Finally, if one consoles an unbeliever for an unbeliever, one says: "May Allah compensate you, and not diminish your number."<sup>1</sup> [111]

## The time for the formal greeting of consolation

The time for the formal greeting of consolation begins from the moment one dies until he is buried and for three days after his burial. It is makrooh after that unless the consoling, or consoled, was away and did not return until three days had passed. The formal greeting of consolation after three days is makrooh because its aim is to pacify the hearts of the grieving, and since people's hearts find peace after three days, one should not rekindle their grief.

Consolation after burial is better than before, because the family of the deceased are busy preparing their deceased and because their grief for his loss is greater after burial.

It is makrooh for the family to get together (male or female) for formal sympathy visits by people wishing to console them. Rather, members of the family of the deceased should pursue their daily life, and only if one encounters one of them does one console him.

Al-Shafi'i رحمہ اللہ said: "I dislike exaggerated funeral ceremonies even if the relatives do not cry out loud."<sup>2</sup>

## Weeping for the deceased

Weeping for the deceased is permissible without raising one's voice in naming the deceased virtues while weeping. Abdullah ibn Umar رضی اللہ عنہ said: "Sa'id ibn Ubada became sick and the Prophet ﷺ along with Abdullrahman ibn Auf, Sa'id ibn Abu Waqqas, and Abdullah ibn Mas'oud رضی اللہ عنہ visited him to enquire about his health. When he came upon him, he found him surrounded by the members of his household so he asked: 'Has he died?' They said: 'No, O Messenger of Allah.' The Prophet ﷺ wept and when the people saw the weeping of the Messenger of Allah ﷺ they all wept. He said: 'Will you listen? Allah does not punish for shedding tears nor for the grief of the hearts but he punishes or bestows his mercy because of this.' He pointed to his tongue and added: 'The deceased is tortured by the wailing of his relatives over him.'"<sup>3</sup> Weeping over the deceased is permissible before one's death or afterwards.

It is **not** permissible to tear one's clothes, excessively raise one's voice, tear one's hair out, or invoke misery upon oneself nor any similar act. Abdullah ibn Mas'oud رضی اللہ عنہ narrated that the Prophet ﷺ said: "One who slaps his cheeks, tears his clothes, and follows the ways and traditions of the *days of ignorance* is not one of us."<sup>4</sup> This is true

<sup>1</sup> Al-Majmu', Vol. 5, page 273.

<sup>2</sup> Al-Majmu', Vol. 5, page 276.

<sup>3</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 43/1242.

<sup>4</sup> Al-Bukhari, Vol. 1, The Book of Funerals, Chapter 34/1232.

if one does any of the above intentionally but if one is overwhelmed with grief and is unable to control oneself, one is not blamed.

## ABOUT CLOTHES

Wearing silk for the adult male is forbidden, unless for an excuse. Huthayfa رضي الله عنه said : "The Prophet ﷺ forbid us to drink in gold or silver vessels or to eat of them, and to wear silk or to sit on it."<sup>1</sup> Both types of silk, *qaz* (that which the silkworm cut through and left alive) and *ibreesam* (that which the silkworm died inside and then was removed from) are equally forbidden. Also, both types of silk fabric, *dibaj* (brocade<sup>2</sup>) and *sundus* (sarcenet<sup>3</sup>), are forbidden. The reason for this is perhaps what Al-Imam Al-Ghazali رحمه الله said about it: "Wearing silk is effeminate and is **not** appropriate to manhood."

Fabric made of equal amounts of silk and another substance is not forbidden, nor that which is embroidered, patched, stuffed, or sewn with pure silk unless the weight of silk is equal to the weight of the fabric itself. Trimming with silk is judged according to the custom of one's equals. Ibn Abbas رضي الله عنه said: "The Messenger of Allah ﷺ forbade garments made of pure silk, but there is no harm to trim with silk or to bias the edges of garments with it."<sup>4</sup>

A male is forbidden to use fabric of pure silk, such as sitting on or supporting one's back with something made of it without a barrier. It is also forbidden to sit beneath it<sup>5</sup> (as in a canopy). However, the bag and hook of a mushaf, the string of a rosary or key, and the covering of the graves of prophets and the virtuous can be made of silk. It is permitted to cover the Ka'ba with it, also.

It is permitted to use silk out of necessity, such as sudden danger, severe cold or heat, avoiding scabies, for a skin rash or allergy, or for covering one's awra. Once, an alternative is available, using silk becomes forbidden. Anas رضي الله عنه said: "The Prophet ﷺ allowed Al-Zubair and Abdullrahman to wear silk because they suffered from rash."<sup>6</sup> Forbidding silk is restricted to sane adult males, so if the user is a child or insane then it is not forbidden.

Women are permitted to wear silk and use it. Ali رضي الله عنه said: "The prophet ﷺ took some silk in his right hand and some gold in his left and said: 'These two are forbidden on the males of my umma (nation).'<sup>7</sup>

Men are forbidden to wear, or use, garments dyed with saffron, but not those dotted with it. Anas رضي الله عنه said: "The Prophet ﷺ forbade men to use saffron."<sup>8</sup>

<sup>1</sup> Al-Bukhari, Vol. 5, The Book of Dress, Chapter 26/5499.

<sup>2</sup> A thick silk fabric.

<sup>3</sup> A thin silk fabric.

<sup>4</sup> Abu Dawood, Vol. 4, The Book of Dress, Chapter 12/4055.

<sup>5</sup> Such as a mosquito net made out of silk.

<sup>6</sup> Al-Bukhari, Vol. 5, The Book of Dress, Chapter 28/5501.

<sup>7</sup> Abu Dawood, Vol. 4, The Book of Dress, Chapter 14/4057.

<sup>8</sup> Al-Bukhari, Vol. 5, The Book of Dress, Chapter 32/5508.

It is makrooh for men to wear, or use, garments dyed, in whole or part, with safflower except those spotted or striped with it. Abdullah ibn Amr ibn Al-Aas رضي الله عنه said: "The Messenger of Allah ﷺ saw me in two robes dyed with safflower so he said: 'These are clothes for the unbelievers so do not wear them.'"<sup>1</sup>

It is not forbidden nor makrooh to wear red, yellow, green, black or stripes of any color.

It is forbidden for a male to wear a gold ring. Ali رضي الله عنه said: "The Messenger of Allah ﷺ forbade me to wear a gold ring."<sup>2</sup> As for silver, not only it is permitted but sunna, unless it is too extravagant. It is best to wear the ring on the small finger of the right hand. Ibn Umar رضي الله عنه narrated: "... Then he ﷺ wore a simple ring, whereupon people started wearing silver rings too. After the Prophet ﷺ, Abu Bakr wore the ring, then Umar, and then Uthman till it fell from him in the Aris<sup>3</sup> well."<sup>4</sup>

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<sup>1</sup> Muslim, Vol. 3, The Book of Dress and Ornament, Chapter 4/27.

<sup>2</sup> Muslim, Vol. 3, The Book of Dress and Ornament, Chapter 4/31.

<sup>3</sup> Which is located in a garden close to the Mosque of Qiba'.

<sup>4</sup> Al-Bukhari, Vol. 5, The Book of Dress, Chapter 45/5528.



**PART FOUR**  
**THE BOOK OF FASTING**  
**(SAWM)**



# FASTING

## Definition of fasting

**Literally:** To abstain in general, for Allah ﷻ says: "I have vowed a fast to (God) Most Gracious, and this day will I enter into *no talk* with any human being."<sup>1</sup>

**Legally:** To abstain from that which breaks one's fast, beginning with a specific intention, throughout a day<sup>2</sup> in which fasting is permissible<sup>3</sup>.

## Types of fasting

1. Obligatory fasting:
  - a. *Intrinsic obligation*: The fasting of Ramadan and making up for it.
  - b. *Incidental obligation*: This is vowed fasting (nathr), the fasting of atonement, and the fasting which substitutes for slaughtering in hajj.
2. Recommended fasting: Some of which has a specific evidence, such as the first nine days of *Thul Hijja*, and some of which has been requested by many evidences that encourage fasting in general.
3. Makrooh fasting.
4. Forbidden fasting.

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<sup>1</sup> Maryam, 26.

<sup>2</sup> From dawn to sunset. However, one should extend his fast a short time beyond sunset in order to make sure that the day is complete. Also, scholars of jurisprudence said that it is necessary to abstain from food, and other things that invalidate fasting, a short time before dawn according to the rule that says: *Anything necessary to fulfill an obligation is obligatory*.

<sup>3</sup> Because there are some days in which fasting is forbidden as will be explained later.

# OBLIGATORY FASTING (FASTING RAMADAN)

## Evidence for fasting Ramadan

From the Quran, Allah ﷻ says: "Ramadan is the month in which was sent down the Quran, as a guide to mankind and clear signs for guidance and judgement (between right and wrong), so every one of you who is present during that month should spend it in fasting."<sup>1</sup>

From the sunna, Ibn Umar ؓ narrated that the Messenger of Allah ﷺ said: "Islam is built upon five: Testifying there is no god but Allah and that Muhammad is the Messenger of Allah, performing the prayer, giving zakat, making hajj, and fasting Ramadan."<sup>2</sup>

And by the consensus of scholars.

One who denies that fasting Ramadan is obligatory becomes an unbeliever (kafir) unless he is a recent convert to Islam or raised away from (Muslim) scholars. A Muslim who holds fasting Ramadan to be obligatory but leaves it without an excuse should be denied food and drink during the day so that he is forced to respect the state of fasting.

## Confirming the month of Ramadan

Fasting Ramadan is obligatory:

1. When Sha'ban<sup>3</sup> has completed thirty days.
2. When a person, even if he is corrupt, sees the new moon (crescent) of Ramadan. Ibn Umar ؓ narrated that he heard the Messenger of Allah ﷺ saying: "Fast upon sighting it<sup>4</sup> (the crescent) and break fast upon sighting it<sup>5</sup>, but if it is too overcast to be seen then act on estimation."<sup>6</sup> And in a narration by Abu Hurayrah ؓ "... Then complete Sha'ban to thirty days."<sup>7</sup>
3. When someone is informed of sighting the crescent by a trustworthy person or by someone who does not tell lies, even if the ruler has not accepted his/her testimony (because of not having all the qualifications of an acceptable witness).

<sup>1</sup> Al-Baqara, 185.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Faith (*Iman*), Chapter 1/8.

<sup>3</sup> The month that precedes Ramadan in the lunar calendar.

<sup>4</sup> i.e. The new moon of Ramadan.

<sup>5</sup> The new moon of Shawwal (the succeeding lunar month).

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 5/1801.

<sup>7</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 11/1810.

If one fasts and it turns out that it was Ramadan indeed, then one's fasting is valid.

4. When the sighting is established by the testimony of a just witness to the ruler. Sighting the new moon of Ramadan is established to the ruler by the testimony of a single witness provided he is just, male, and accountable (for the duties of Islam). Abdullah ibn Umar رضي الله عنه narrated: "People competed to sight the crescent and I told the Messenger of Allah ﷺ that I sighted it so he fasted and ordered the people to fast."<sup>1</sup> Furthermore, because sighting obligates fasting it should be accepted from a single witness as a precaution to fulfill the obligation of Ramadan.

Sighting the new moon in months other than Ramadan is established by the testimony of two just witnesses. Thus, sighting the moon of Shawwal (*the iftar crescent*) is established only when two witnesses are available. That is because this sighting will end fasting therefore the number of witnesses is a precaution to fulfill the obligation of Ramadan. If someone sees the crescent of Shawwal alone, he should break fast but in secret so as not to be accused in his religion.

If the crescent is sighted in one place, then all places which lie on the same longitude<sup>2</sup> should fast. The evidence that it is not obligatory to fast if the places are on different longitudes is what Kuraib narrated: "That Umm Al-Fadl bint Al-Hareth sent him to Mu'awiya in Sham<sup>3</sup>. He said: 'I came to Sham and saw to her need, then Ramadan commenced while I was in Sham. I saw the crescent on Friday eve<sup>4</sup> then I returned to Medina at the end of the month so Abdullah ibn Abbas رضي الله عنه asked me (about my trip) then mentioned the crescent and said: 'When did you sight the crescent?' I said: 'We sighted it on Friday night.' He said: 'You saw it?' I said: 'Yes, and the people saw it and fasted, and so did Mu'awiya.' He said: 'But we saw it on Saturday night so we will keep fasting until we complete thirty days or see the crescent.' I said: 'Shouldn't we suffice ourselves with Mu'awiya's sighting and his fasting?' He said: 'No, that's what the Messenger of Allah ﷺ ordered us to do.'"<sup>5</sup>

If people are in doubt as to whether they are on the same longitude (have the same *matlli*) or not then those who have not sighted the crescent do not need to fast because fasting is only obligated by sighting for the (above mentioned) hadith and sighting was not proven to them because it was not proven that they are close to the place of sighting.

If the crescent is seen in the daytime then it is the new moon of the coming night whether it was seen before the meridian or after. Abu Wa'il رضي الله عنه said: "A letter from Umar رضي الله عنه reached us while we were in Khanqeen<sup>6</sup> that some crescents are larger than

<sup>1</sup> Abu-Dawood, Vol. 2, The Book of Fasting, Chapter 14/2342.

<sup>2</sup> Actually, the word in Arabic is "matali" which is plural for 'the place the moon (in this case), rises from.'

<sup>3</sup> Another name for southern Syria, especially Damascus.

<sup>4</sup> The night before the day of Friday.

<sup>5</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 5/28.

<sup>6</sup> A town in Iraq near to Baghdad.

others so if you see the crescent in the daytime then do not break fast until sunset unless two Muslim men testify that they had sighted the crescent the previous night.”<sup>1</sup>

If one travels to another country- be it at the beginning or end of the month- one should fast or not according to what the people of that country are doing.

An imprisoned person should, to the best of his ability, figure out when Ramadan starts and fast accordingly. If he remains in doubt and never finds out whether his fasting coincided with Ramadan or not then his fast is valid. If his fasting turns out to have been in Ramadan, or after it, his fast is still valid. However, if it turns out to have been before Ramadan, then there are two possibilities:

- a. If he finds out before Ramadan has started he should definitely fast Ramadan because he is able to fast it on time.
- b. If he finds out after Ramadan is over he should make up for his fast. If he fasts without trying to figure out when Ramadan starts, then it is not valid even if it happens to be in Ramadan.

## Conditions for fasting to be obligatory

1. Islam. An original kafir (non-Muslim) is not required to fast. However, an apostate is requested to fast, by saying to him: “Come back to Islam and fast.” His fast is not accepted while he is an apostate. Though, when an apostate returns to Islam he should make up what he missed during the period of apostasy unlike an original kafir who is not obliged to make up for missed fasting during the time he was kafir because fasting was not obligatory for him at the time. Amr ibn Al-Aas رضي الله عنه narrated that the Prophet ﷺ said: “Didn’t you know that Islam demolishes what was prior to it.”<sup>2</sup>
2. Sanity (mental balance). Fasting is not obligatory for an insane, unconscious, or drunk person whether or not he is responsible for his insanity, unconsciousness, or drunkenness. Ali ibn Abu Taleb رضي الله عنه narrated that the Prophet ﷺ said: “The pen has been lifted<sup>3</sup> from three: The sleeper until he awakens, the child until his first wet dream, and the insane (person) until he can reason.”<sup>4</sup> One should make up for missed fasting days if he is responsible for his insanity or drunkenness. In the case of unconsciousness, one must make up for missed fasting days even if he is not responsible for his unconsciousness for Allah ﷻ says: “But if any of you is ill or on a journey, the prescribed number (should be made up) from days later,”<sup>5</sup> and unconsciousness is an illness unlike insanity which is a deficiency. Hence, whoever loses his sanity as a result of illness, taking a drug out of necessity, or any other excuse should make up for the missed days of fasting.

<sup>1</sup> Al-Bayhaqi, Vol. 4, page 213.

<sup>2</sup> Muslim, Vol. 1, The Book of Faith, Chapter 54/192.

<sup>3</sup> Lifting the pen means that the person is not accountable (for his actions). It does not mean the literal lifting of the pen.

<sup>4</sup> Abu Dawood, Vol. 4, The Book of Penalties, Chapter 16/4403.

<sup>5</sup> Al-Baqara, 184.

3. Puberty. Fasting is not obligatory for a discriminating child, though his fast is acceptable. By analogy with prayer, a seven year old should be encouraged to fast if he can bear it and a ten year old should be struck for leaving it (provided he is physically able).
4. Ability. This means the ability to fast without hardship.

## The conditions of a valid fast<sup>1</sup>

1. The intention. Umar رضي الله عنه narrated that the Prophet ﷺ said: "Deeds are by intention, and to each person what he intends."<sup>2</sup> Also, fasting is a mere worship, just like prayer, hence it is not valid without intention.

The intention is necessary for each day because each day's fasting is an independent worship. Hence if you intend on the first night of Ramadan to fast the whole of it, this will only count for the first day. Yet, it is recommended to do so, should you forget the intention on a given day. In this case, fasting this particular day is valid according to the school of Imam Malek<sup>3</sup>, and it is recommended to make one's intention at the start of this day (which you forgot to make intention for) according to the school of Imam Abu Hanifa<sup>4</sup>. All this is true if you make the intention to follow the other school, otherwise you will be involved in confused worship which is forbidden (haram). If you forget to make the intention one night, and you do not follow another school of thought you should fast and make up for that day.

### The place of intention:

The heart is the place of the intention which is achieved by holding the essence of fasting (abstention from things which invalidate the fast throughout the day) in your heart. It is not sufficient to pronounce the intention without having it in your heart. However, it is recommended to pronounce it so that the tongue will help the heart. The intention for fasting is correct even if you make it while you are praying, having intercourse, or eating. Two conditions are necessary for the intention of obligatory fasting:

- a. Making the intention at night. The intention must be made at night for Hafsa رضي الله عنها narrated that the Prophet ﷺ said: "There is no fasting for one who does not intend to fast before Fajr (dawn)."<sup>5</sup>

Making the intention at night is possible at any part of the night from sunset to dawn. However, if the intention takes place at dawn, then fasting is not valid and must be made up for. It is not harmful to eat, drink, or have intercourse after the intention nor does loss of sanity, drunkenness,

<sup>1</sup> In general whether the fast is obligatory (fard) or sunna.

<sup>2</sup> Muslim, Vol. 3, The Book of Imara, Chapter 45/155.

<sup>3</sup> According to Imam Malek it is sufficient to intend fasting the whole month of Ramadan on the first night of it.

<sup>4</sup> According to him, it is correct to intend anytime before noon (meridian) each day.

<sup>5</sup> Al-Nasa'i, Vol. 4, page 196.

unconsciousness, or sleep affect it. If one suspects before sunset that his intention took place before dawn, his fasting is not valid because of doubts concerning his intention. However, if one is unsure whether or not dawn broke after he made his intention then his fast is valid. If one, after sunset, doubts whether or not he made his intention, and cannot remember, then it does not matter due to the difficulty of repeating his fast<sup>1</sup>.

If you say insha'allah (Allah willing) after your intention, with your tongue or your heart, by way of asking for blessing, or if you mean that you are definitely going to fast but not sure if you will live to finish your fast, then your fast is valid. However, if you mean to suspend your fast and doubt it, then your fast is not valid. Similarly, if you say: "I will be fasting tomorrow if so-and so is willing, or I am able to," then your fast is void because you did not intend with certainty.

- b. Specifying.** Fasting is not valid if you do not specify the **type** of obligation, be it atonement<sup>2</sup>, vow, performing, or making up fasting for Ramadan, for the Prophet ﷺ said: "... and to each what he intends ...." Hence, it is obvious that specifying is a necessary condition.

If you have to make up for the first day of Ramadan, but you fast with the intention of making up for the second day then your fast does not count. Similarly, if you have to make up for one day of Ramadan of a certain year but your intention is to make up for a day of another year by mistake then your fast does not count. However, in both cases if you do not specify the day (or year) then your fast does count.

The intention must be decisive. Hence, if you intend on the thirtieth night of Sha'ban to fast the following day if it is Ramadan otherwise you will not be fasting or you will be fasting voluntarily then even if the next day coincides with Ramadan your fast on that day does not count from Ramadan unless you knew it to be from Ramadan when you intended, because a trustworthy person informed you of that.

The minimum intention for fasting in Ramadan is to say: "I intend to fast Ramadan" [112], or "I intend to fast (a day of) Ramadan" [113]. It is not obligatory to say "tomorrow," or to add "for Allah ﷻ," nor to specify the year. The most complete form is to say: "I intend to fast tomorrow to perform the obligation of Ramadan of this year in faith and expectation of the reward from Allah ﷻ." [114]

It is not obligatory to make the intention of a nafl (non-obligatory) fast at night<sup>3</sup> but it is sufficient to make the intention before zenith time (shortly before noon) provided one does not take in any thing which breaks fast. Aisha, the mother of believers ؓ, said: "The Prophet ﷺ came to me one day and said: 'Do you have

<sup>1</sup> Unlike prayer which one has to re-perform if one suspects the intention for, after salam.

<sup>2</sup> Without specifying the type of atonement, i.e. for an oath or 'thihar' (a jahili form of renouncing sexual relations with one's wife claiming she is to him as his mother).

<sup>3</sup> However, when a child fasts in Ramadan the intention must be made at night even though his/her fast is regarded as a recommended fast.



anything (to eat) ?' We said: 'No.' He said: 'Then I am fasting.' He came to us another day and we said: 'O Messenger of Allah, we have been presented with some *hayse*<sup>1</sup>.' He said: 'Let me see it for I woke up fasting,' and he ate from it."<sup>2</sup>

Also, it is not obligatory to specify the type of non-obligatory fast. Hence, the intention of non-obligatory fast is valid by intending with the heart something to the effect: "I intend to fast tomorrow for Allah most high," unless it is a designated fast such as fasting on the day of Arafah, Ashura, the White Days, six days of Shawwal, and other fasts. In all these fasts, it is necessary to specify in order to achieve the designated rewards. However, the fast is valid even if you do not specify its type.

2. Abstaining from deliberately having sexual intercourse (even without ejaculation) or stimulating ejaculation. However, intercourse does not break the fast if one is ignorant, and he has a reasonable excuse for being ignorant of the fact that intercourse breaks fasting, or is forced to have intercourse against his will. Similarly, if one **forgetfully** has intercourse, it is like one forgetfully eating, his fast is not broken. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "If one forgetfully eats or drinks, it does not break his fast for this is a gift from Allah."<sup>3</sup> This hadith is about eating or drinking but intercourse and other things which break the fast can be measured against this hadith as well.

Fast is broken by ejaculation caused by foreplay, even without intercourse. Therefore, foreplay, if one is aroused by it, is forbidden because it can cause ejaculation. Ejaculation not caused by foreplay does not break the fast.

3. Abstaining from making oneself vomit. Causing oneself to vomit breaks one's fast even if one is sure that nothing returned to his stomach. Unintentional vomiting, even in large amounts, does not break the fast as long as nothing is swallowed. If one swallows some of his vomit on purpose, his fast is broken and he has to make it up. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If one of you is overridden by vomit he does not have to make up (for his fast) and if he vomits intentionally then he should make up for his fast."<sup>4</sup>

However, if one forgets that he is fasting and he makes himself vomit that does not break his fast. Similarly, if he is ignorant, and he has a reasonable excuse for being ignorant, or is forced to vomit then his fast is not broken.

4. Abstaining from letting any substance enter the body's cavity through an opening. This includes cigarette and narghile smoke which breaks fast because it leaves a visible trace. Also, fast is broken by swallowing inedible objects such as coins, soil, stones, grass, iron and string. Smell and taste are excluded even if one feels the taste in his mouth.

Flies, mosquitoes, road dust, and flour do not break one's fast if they enter the body's cavity because they are difficult to avoid. If there are particles of food

<sup>1</sup> A type of sweetmade of dates, ghee and other ingredients.

<sup>2</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 32/170.

<sup>3</sup> Al-Tirmithi, Vol. 1, The Book of Fasting, Chapter 26/721.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 25/720.

between one's teeth and one could not help swallowing them then his fast is not broken unless he was able spit them out.

If phlegm reaches the part of the palate from which the sound *kh* (خ) is pronounced and you swallow it then your fast is broken but if the post nasal drip is beyond that part of the palate it does not harm. If pure unmixed saliva reaches the stomach directly from salivary glands, it does not break the fast. Impure or mixed saliva, such as that intermixed with blood, **does** break fast. However, if one is afflicted with bleeding gums, he is excused. Swallowing saliva which does not come directly from salivary glands, such as that collected on the lips, breaks the fast. Saliva collected on the tongue does not break the fast if swallowed.

Water used in rinsing the mouth or cleaning the nose (e.g. in wudu), provided one does not exaggerate, does not break the fast if it is unintentionally swallowed. Similarly, if water from a required ghusl, even a recommended one such as Friday ghusl, enters the body cavity it does not break the fast because it is the result of a required action. However, if water enters the body cavity as a result of exaggerating wudu or ghusl it **does** break the fast because exaggerating wudu is forbidden while one is fasting. Laqeet ibn Sabira رضي الله عنه narrated that: "I said: 'O Messenger of Allah, tell me about wudu.' He said: 'Perform wudu perfectly, wash between your fingers, and exaggerate your rinsing the nose unless you are fasting.'"<sup>1</sup> If the water of the fourth washing in wudu enters the body cavity it breaks the fast even if one did not exaggerate. If water enters the body cavity as a result of overdoing in washing visible najasa<sup>2</sup> it does not break the fast because removing visible najasa is obligatory. If water from a ghusl, not required by Sharia, such as washing to cool off and/or for cleanliness, enters the body cavity it breaks the fast.

Water which a fasting person puts on his mouth to cool off or stave off thirst does not break the fast, if it accidentally enters the body cavity, because it is deeply needed. Also, forgetfully eating or drinking does not break the fast, for Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "If one forgets that he is fasting and eats or drinks he should complete his fasting for Allah has granted him food and drink."<sup>3</sup>

If one is forced to eat or drink, his fast remains valid. However, if he eats or drinks because he is ignorant that this breaks the fast, his fast is broken, unless he has a reasonable excuse for being ignorant. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "Allah has forgiven my nation for (unintentional) mistakes, forgetfulness, and what they are coerced to do."<sup>4</sup>

If a fasting person realizes for sure that dawn has broken while he is still eating, he should re-fast that day. If dawn breaks while there is some food in your mouth you should spit it out. If you spit it out then your fast is valid but if you swallow it

<sup>1</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 69/788.

<sup>2</sup> Like washing blood off the mouth or nose.

<sup>3</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 33/171.

<sup>4</sup> Ibn Maja, Vol. 1, The Book of Divorce, Chapter 16/2045.

your fast is broken. If you spit the food out immediately, but some is inadvertently swallowed your fast is **not** broken.

The body cavity includes the whole cavity of a person. Hence, if a woman puts her finger into her private parts while she is doing istinja' or ghusl, even if her intention is to purify, her fast is broken. Similarly, scratching the inside of the ear with a hard object breaks the fast, using one's finger does not break the fast unless it reaches the inner part of the canal. Ear and nose drops break the fast, whereas eye drops don't even if one feels the taste in his mouth, because the eye is not an opening. Similarly, a suppository, enema, or douche, **does** break the fast. If a woman inserts in her private parts a piece of cotton impregnated with medicine while she is **not** fasting, so that the piece of cotton goes beyond that part which can be seen when she squats then if it remains until after dawn it does **not** break her fast. Similarly, mechanical contraceptives do not break the fast if they are inserted while one is not fasting.

An opening is either one which is naturally open like the ear, mouth, nose, or anus or it can be an open wound like a deep cut in the head. Hence, if kohl (eyeliner) reaches the mouth from the eye it does not break the fast nor does a moisturizer or water from ghusl if it gets into the body cavity from the pores of the skin. Similarly, muscular and intravenous injections of all kinds do not break fast even if taken for nourishment.

5. Islam, which means that a fasting person should be currently Muslim. Hence, the fasting of an apostate who was once a Muslim is not accepted because the condition of (accepting) deeds is intention and the condition of intention is Islam.
6. Purity from menstruation and postnatal bleeding. Fasting is not accepted from a woman during her menstrual or postnatal bleeding. By scholarly consensus, it is even haram for such a woman to fast. If a woman becomes pure from menstrual or postnatal bleeding before dawn, her fasting is valid even if she does not perform ghusl throughout the day until sunset. Similarly, if someone has a wet dream in the daytime, or becomes in a state of janaba (major hadath), his fast is valid even if he/she does not perform ghusl. Aisha ؓ narrated: "That the Prophet ﷺ used to wake up at dawn in a state of janaba from intercourse, not from a wet dream, and then he would fast that day."<sup>1</sup> If a woman becomes pure from menstruation or postnatal bleeding after dawn, even by a short time, fasting that day will not be valid however it is recommended for her to abstain from things which break fast for the rest of the day, and she should make that day up.
7. Sanity throughout the day. Therefore, if insanity takes place, even for a moment, during the day then fasting that day is not valid. This is unlike unconsciousness and drunkenness whereby one's fasting is valid unless they last the entire day. If one wakes up, even for a moment, during the day then his fast is valid. Sleeping does

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 25/1830. This does not mean that he ﷺ did not take ghusl immediately or that he ﷺ missed Fajr.

not harm even if it lasts the whole day provided one has intended to fast before going to sleep.

8. Validity of the time for fasting. Fasting the days which are forbidden to fast, which will be detailed later in this chapter, is not valid.

## Things that are recommended in fasting

1. Hastening the breaking of fast if one is certain that the sun has set for Sahl ibn Sa'id رضي الله عنه narrated that the Messenger of Allah ﷺ said: "People will remain on the right path as long as they hasten the breaking of the fast."<sup>1</sup>
2. It is recommended to break one's fast with a few freshly picked dates, otherwise with a few dry dates, otherwise with water. The sunna is achieved with one or two fresh dates, but the best is three for Anas ibn Malek رضي الله عنه said: "The Messenger of Allah ﷺ used to break fast, before praying, with fresh dates, if not, then with dry dates, and if not he would drink a few sips of water."<sup>2</sup>
3. To say just after breaking the fast: "O Allah, I have fasted for You, and upon Your bounty I have broken my fast, and in You I believed, and to You I surrendered, and in You I trust. The thirst is gone, and the veins are wet, and the reward is sure- if Allah is willing. O You who has great forgiveness, forgive me. Thanks be to Allah who helped me to fast, and granted me sustenance to break my fast. O Allah, guide us to (perform) fasting, and help us during it to stand for prayer and help us to do it while people are asleep, and allow us to enter peacefully into Paradise." [115]

This is because the du'a of a fasting person is answered. Abdullah ibn Amr ibn Al-Aas رضي الله عنه said: "The Messenger of Allah ﷺ said: 'When a fasting person breaks his fast, he is entitled to a du'a that will not be revoked.'"<sup>3</sup>

4. Having *suhoor*-the pre-dawn partaking of food. Anas ibn Malek رضي الله عنه said: "The Prophet ﷺ said: 'Eat suhoor, for there is blessing in suhoor.'"<sup>4</sup> Also, Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "Seek help in suhoor for fasting and seek help in a nap for prayer at night (Qiyam)."<sup>5</sup> Suhoor is achieved by a little food and drink. The time of suhoor begins from midnight, thus eating before that is not suhoor and one does not attain the reward of following the sunna. It is recommended to delay suhoor and make it as close to dawn as it takes to read fifty verses of the Quran. Zaid ibn Thabet رضي الله عنه said: "Once we ate suhoor with the Prophet ﷺ then he stood up for (Fajr) prayer. I asked: 'What was the time lapse between suhoor and the athan?' He replied: 'The time required for the recital of fifty verses (of the Quran).'"<sup>6</sup> As long as one does not get close enough to Fajr to become doubtful. Hassan ibn Abu Sinan said: "I have found nothing easier than being pious- leave

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 44/1856.

<sup>2</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 10/696.

<sup>3</sup> Ibn Maja, Vol. 1, The Book of Fasting, Chapter 48/1753.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 20/1823.

<sup>5</sup> Ibn Maja, Vol. 1, The Book of Fasting, Chapter 22/1693.

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 19/1821.

what makes you doubtful to what does not.”<sup>1</sup> If one had suhoor then he became doubtful as to whether or not his suhoor was at night (before dawn) then his fast is valid.

5. It is recommended to perform ghusl from major hadath at night so that one is in a state of purity from the start of his fast.
6. It is recommended to recite and to *mutually study*<sup>2</sup> the Holy Quran as much as possible.
7. It is recommended to spend generously on one's family and to be good to relatives and neighbours.
8. It is recommended to give freely and in abundance to charity. Ibn Abbas رضي الله عنه said: “The Prophet ﷺ was the most generous amongst people and he used to be most generous in Ramadan.”<sup>3</sup> Generally, it is recommended to do a lot of good deeds in Ramadan, because the reward in it is multiplied.
9. Inviting fasting people over to break their fast, even if they are not needy, and eating with them even if one is not fasting, because the fasting person is forgiven so Allah may also forgive his companions. Zaid ibn Khaled Al-Juhani رضي الله عنه said: “The Messenger of Allah ﷺ said: ‘Anybody who offers food to a fasting person to break his fast on, earns the same reward as that of the fasting person without diminishing the fasting person's reward in any way.’”<sup>4</sup> If one is unable to offer a full meal, he can offer even a single date or a sip of milk or water.
10. It is recommended to do *i'tikaf* (seclusion) in Ramadan, particularly in the last ten days of it. Aisha رضي الله عنها said: “The Messenger of Allah ﷺ used to work harder (in worship) in the last ten days of Ramadan than in any other time.”<sup>5</sup> In these ten days, the *Night of Qadr* (the night of high honor<sup>6</sup>), in which every affair of wisdom is made distinct. The Night of Qadr is one of the privileges of this (Muslim) nation remaining till the day of judgement. It is recommended to seek it, for Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: “He who prays the Night of Qadr out of faith and expectations (for its reward) will be forgiven all his previous sins.”<sup>7</sup> Odd numbered nights in the last ten days of Ramadan are the most possible to be the Night of Qadr, particularly the twenty first and twenty third nights. If one witnesses the Night of Qadr, he should say what Aisha رضي الله عنها narrated: “I said: ‘O Messenger of Allah, what if I know which night is the Night of Qadr, what shall I say in it?’ He said: ‘Say: O Allah, you are most forgiving, most generous, and love forgiveness, so forgive me.’”<sup>8</sup> [116] It is recommended for those who witness it to not broadcast

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Sales, Chapter 3.

<sup>2</sup> A mutual study is when one person recite to the other what the first has just recited to him. That is how the Prophet ﷺ used to mutually recite the Holy Quran with Gabriel عليه السلام.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 7/1803.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 82/807.

<sup>5</sup> Muslim, Vol. 2, The Book of Spiritual Seclusion, Chapter 3/8.

<sup>6</sup> Also known as the night of power. It is called the night of honour because it is a very honourable and praised night, in which the glorious Quran was revealed.

<sup>7</sup> Al-Bukhari, Vol. 2, The Book of Taraweeh Prayer, Chapter 2/1910.

<sup>8</sup> Al-Tirmithi, Vol. 5, The Book of Supplications, Chapter 85/3513.

the fact. Working (in worship) during it is better than working in its day by a thousand months. Though, it is recommended to do ones best (in worship) in both the day and Night of Qadr.

The highest rank is to spend the whole night in all sorts of worship. The next best thing is to spend most of the night, and the least is to pray Isha in congregation and intend to pray Fajr in congregation as well. The rewards of the Night of Qadr are not exclusive to those who witness it, but they are bestowed upon anyone who spends it in worship. It is the greatest night in the year, second to the night of the birth of the Prophet ﷺ, followed by the *Night of Isra*<sup>1</sup>, then the night of Arafa, then Friday night, then the night of the middle of Sha'ban.

## What is makrooh for a fasting person

1. Bad language. Because a fasting person should hold his tongue from lying, backbiting, slander and the like. Abu Hurayrah رضي الله عنه said: "The Messenger of Allah ﷺ said: 'He who does not give up falsehood and working according to it, Allah is not in need of his abandoning food and drink.'"<sup>2</sup> Also, Abu Hurayrah رضي الله عنه said: "The prophet ﷺ said: '... If one of you is fasting, he should not swear nor quarrel, so if someone insults, or fights him, he should say: I am fasting.'"<sup>3</sup>
2. It is makrooh to look at things that one usually is permitted to enjoy looking at, such as flowers of all kinds. It is also makrooh to smell all sorts of perfume. Because, all these stimulate desires in the soul and weaken one's will for hard work in worship and embody a luxury that does not go with the idea behind fasting.
3. Cupping because it weakens the body and may necessitate terminating the fast<sup>4</sup>.
4. Tasting food unless for a genuine need<sup>5</sup>, in case food is accidentally swallowed.
5. Chewing flavorless/sugarless gum<sup>6</sup> because it stimulates the secretion of saliva and causes thirst. If the gum is of the type which may disintegrate in the mouth, thus risking swallowing some of it, then it is forbidden to chew it, and one who does nullifies his fast.
6. Kissing (one's spouse). However, if the kiss might stir one's desire, then it is forbidden. The criterion of stirring the desire is the ejaculation of semen. The basis of this ruling is what Aisha رضي الله عنها narrated: "The Prophet ﷺ used to kiss and fondle while he was fasting, but he was the most in command of his desires than any one."<sup>7</sup> Also, Abu Hurayrah رضي الله عنه narrated: "That a man asked the Prophet ﷺ about

<sup>1</sup> The night in which Allah ﷻ took the Prophet ﷺ on a journey by night from Mecca to Al-Aqsa Mosque.

<sup>2</sup> Al-Bukhari, The Book of Fasting, Chapter 8/1804.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 9/1805. It should be noted that this hadith stresses that swearing is prohibited for a fasting person, but a person who is not fasting is also prohibited from swearing.

<sup>4</sup> Similarly, it is also makrooh to draw blood from the body, e.g. for a medical test, unless there is a genuine need for that.

<sup>5</sup> Like a wife being anxious of her husband's disapproval of her cooking.

<sup>6</sup> Obviously, chewing gum which has any flavor invalidates the fast.

<sup>7</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 23/1826.

touching one's spouse (as in kissing or caressing) for a fasting person and he permitted him, then another man came and asked him and he forbade him. It turned out that the man who was permitted was an old man while the man who was forbidden was a young man."<sup>1</sup>

7. Using siwak just after the sun reaches its zenith (zawal). Abu Hurayrah رضي الله عنه narrated that: "The Messenger of Allah ﷺ said: 'By him in Whose hand my soul is ! The breath of a fasting person is sweeter to Allah than the smell of musk.'"<sup>2</sup> Similarly, it is makrooh to rinse out the mouth after zawal, other than in wudu, for this is like siwak.
8. To intentionally delay the breaking of fast. Sahl ibn Sa'id رضي الله عنه narrated that: "The Messenger of Allah ﷺ said: 'People will remain on the right path as long as they hasten the breaking of fast.'"<sup>3</sup>
9. Taking a bath or shower, except for a religious need<sup>4</sup>, if one believes water may enter his body's cavity, otherwise it is not makrooh.
10. It is forbidden to connect two or more days in fasting (continuous fasting) which is one of the privileges of the Prophet ﷺ. Abu Hurayrah رضي الله عنه narrated: "That the Prophet ﷺ said: 'Beware of continuous fasting,' he said it twice. They said: 'But you fast continuously.' He said: 'My Lord provides me with food and drink.'"<sup>5</sup> If one fasts continuously then his fast is valid but he is sinful.

## Cases of not fasting in Ramadan

### The legal status of not fasting in the cases of illness and travel

#### In illness

Generally, it is permitted not to fast when one is ill. If the illness is overwhelming, one is permitted to abandon the intention. However, if it is a fever that comes and goes, then if the fever or illness is present when fasting should begin, the person can abandon the intention, otherwise he should make the intention of fasting. If his illness returns and he must break his fast, he can do so.

The legal status of not fasting due to illness differs according to the severity of the illness:

1. If one is certain that fasting will cause him harm that permits tayamum<sup>6</sup>, or death, he is **forbidden** from fasting and **must** break his fast. If he continues his fast and dies, he dies as a disobedient person for not obeying Allah's ﷻ saying: "And

<sup>1</sup> Abu Dawood, The Book of Fasting, Chapter 35/2337.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 2/1795.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 44/1856.

<sup>4</sup> The need here means obligatory or recommended ghusl.

<sup>5</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 48/1865.

<sup>6</sup> This means fearing that fasting may lead to illness, or the worsening or persistence of illness, or the loss of the utility of a body part.

make not your own hands contribute to (your) destruction,”<sup>1</sup> and His saying: “Nor kill (or destroy) yourselves.”<sup>2</sup>

2. If one fears or suspects that fasting could cause him harm that permits tayamum, fasting is makrooh for him and he is permitted not to fast.
3. If one is ill with a slight illness whereby fasting will not cause hardship that permits tayamum (such as one who has a head/tooth/ear ache) then he should fast unless he fears the worsening of his condition.

Those who get very thirsty or hungry as a result of their labor like manual harvesters, and road diggers ... have the same status as the ill with respect to fasting or not fasting.

### In travel

A person who sets out for a permissible travel, that permits shortening of prayer, before dawn, is permitted **not** to fast whether or not he expects great difficulty.

A travel that permits the shortening of prayer is one whose distance is no less than eighty one kilometers. There is no significance as to the means of transportation. A permissible travel is one that is not established for or with, a sinful act.

By saying before dawn, we exclude the case whereby travel occurs after fasting. In which case, unlike illness, it is **not** permissible to break the fast. The evidence that it is permissible not to fast in the above mentioned case is Allah's ﷻ saying: “But if any of you is ill or on a journey, the prescribed number (should be made up) from days late.”<sup>3</sup> Also, Aisha ؓ narrated: “That Hamza ibn Amr Al-Aslami said to the Prophet ﷺ: ‘Should I fast while travelling?’ He said: ‘Fast if you wish, and break fast if you wish.’”<sup>4</sup> Also, Anas ؓ said: “We used to travel with the Messenger of Allah ﷺ and neither did the fasting persons criticize those who were not fasting, nor did those who were not fasting criticize the fasting ones.”<sup>5</sup>

If someone makes the intention to fast at night then sets out for travel, but is not sure whether he traveled before or after dawn, then he cannot break fast because he is doubtful of the very cause that permits him not to fast, and there is no leeway with doubt.

One is permitted not to fast throughout the period he is away if the period of his residence in the town to which he travels is less than or equal to three days. If the period of his residence is more than or equal to four days (excluding the days of arrival and departure) then he is regarded as a resident and he has to fast starting from the **first** day of arrival. If one travels frequently, such as a driver, he is not permitted not to fast because this will lead to eliminating the obligation altogether.

Generally, fasting in travel is better than not fasting if no harm is caused by it, because this is faster in clearing one's liability and it fills one's time with worship. If one is harmed by fasting then *iftar* (not fasting) is better. Jaber ibn Abdullah ؓ said:

<sup>1</sup> Al-Baqara, 195.

<sup>2</sup> Al-Nisa', 29.

<sup>3</sup> Al-Baqara, 184.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 33/1841.

<sup>5</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 36/1845.



“The Messenger of Allah ﷺ was travelling and he saw a crowd of people, and a man that was being shaded (by them). He said: ‘What is the matter?’ They said: ‘A fasting man.’ He said: ‘It is not righteous to fast while travelling.’”<sup>1</sup> If one is almost certain that fasting could cause the loss of life or an organ, or the loss of the use of an organ he is forbidden to fast.

If the excuse for not fasting (iftar) is eliminated, so that the sick person is cured or the traveller has returned, in the daytime even if one has not made the intention at night, it is recommended to abstain from *fast-breakers*. However, if he had intended at night then he **should** continue to fast.

## **The legal status of the various cases of iftar in Ramadan**

Detailed explanation of the cases of ifatr in Ramadan, with the legal status of each one of them and what is obligatory for the non-fasting person with respect to making up and penance (*fidya*) is given below:

### **Iftar that is obligatory and obligates making up (qada’)**

This is the case of a woman in menstruation or postnatal bleeding. Aisha رضي الله عنها said: “We used to get that (menstruation) and were ordered to make up for missed fasting but not for missed prayer.”<sup>2</sup> This hadith orders a menstruant woman to make up for missed fasting. Postnatal bleeding is measured against this hadith because postnatal bleeding is similar to menstruation. If a menstruating or postnatally bleeding woman becomes pure in the daytime, she is recommended to abstain throughout the rest of the day, but it is not obligatory for her as it is in the case of a boy having his first wet dream, or someone insane recovering, in the daytime.

### **Iftar that is permissible but obligates making up and penance (fidya<sup>3</sup>)**

1. A pregnant or breast feeding woman if she fears for the baby alone.
2. One who breaks his fast to save the life of a person or animal on the verge of dying because he feared that he would not be able to save him/it without breaking his fast.
3. One who postpones making up missed days of fasting until after the next Ramadan without an excuse<sup>4</sup>. Penance is multiplied by the number of years. If someone dies after he witnesses another Ramadan without making up missed days from the previous Ramadan, with no excuse, his inheritor must pay out two penance, one for the missed days and one for delaying making them up. If the inheritor fasts instead of the deceased, the penance for making up is eliminated and the penance for delay remains.

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 35/1844.

<sup>2</sup> Muslim, Vol. 1, The Book of Menstruation, Chapter 15/69.

<sup>3</sup> The nature of this penance (*fidya*) will be explained later after itemizing the cases of iftar and what they obligate.

<sup>4</sup> Thus we exclude the case of someone remaining ill, or travelling until the following Ramadan or one who delays making up because he forgot, or is ignorant that delaying is forbidden, even if he does not have a reasonable excuse for being ignorant.

## Iftar that obligates penance but not making up

1. An elderly person<sup>1</sup>, or one with a chronic illness who is unable to fast, such that if he were to fast he would suffer from unbearable hardship or a disease which permits tayamum. Ibn Abbas رضي الله عنه, in explanation of Allah's saying: "For those who cannot do it (without hardship), is a ransom, the feeding of one that is indigent...", said: "That is the elderly man or woman who are unable to fast. They must feed one poor person for each day (they do not fast)."<sup>2</sup> Al-Bayhaqi narrated: "That Anas رضي الله عنه was ill one year before his death, so he did not fast and he ordered his family to feed one poor person for each (missed) day."<sup>3</sup>

Such people do not fast and they give out penance for each day they do not fast. It is **not** permissible to give out the penance before Ramadan, but it should be given out the eve of the day one is not going to fast.

If an old, or ill, person becomes able to fast he is not required to make-up the days he did not fast, but should fast starting from the moment he is able to.

2. One who dies and has missed fasting to make up for Ramadan or otherwise. The details of his status are as follows:

- a. If one misses fasting for an excuse, and was not able to make it up because the excuse continued. For example, if one falls ill and remains ill until he dies, then he is not sinful and his inheritor does not have to pay any penance.
- b. If someone misses fasting for an excuse and was able to make the missed days up but died before he did so, or he missed fasting without an excuse and he was not able to make it up, or he missed fasting without an excuse and was able to make it up, then in all three cases the inheritors should pay out penance on behalf of the deceased from his inheritance for each missed fasting-day. The penance is transferred from the liability of the deceased to that of the inheritors. If the deceased did not leave behind any inheritance, a responsible family member or indeed an outsider (even without permission) is allowed to give out penance on behalf of the deceased from his own money, because this is like paying back debt on behalf of someone which is a valid act. If no one pays for the deceased, the penance remains in his liability, and if Allah wishes He, in His mercy, will forgive him and release him of it.

As for fasting on behalf of a deceased to make up his missed days, it is the strongest of the opinions of Al-Shafi'i رحمته الله and it is recommended to be done by his relatives, or by someone who is permitted by the deceased or his inheritors, with or without a pay. Ibn Abbas رضي الله عنه said: "A woman came to the Messenger of Allah ﷺ and said: 'O Messenger of Allah, my mother died and she was owing a vowed fasting. Shall I fast on her behalf?' He said: 'If your mother had a debt and you paid it back, would that have settled it for her?' She said: 'Yes.' He said: 'Then fast on

<sup>1</sup> One who is over seventy or eighty years old (sometimes less). Indeed, old age differs with different people.

<sup>2</sup> Al-Bukhari, Vol. 4, The Book of Explanation (of Quran)/Al-Baqara, Chapter 27/4235.

<sup>3</sup> Al-Bayhaki, Vol. 4, page 271.



behalf of your mother.”<sup>1</sup> Also, fasting is a worship for which penance is necessary when faulty. Hence, it is permissible to make it up after death, just like hajj.

### **Iftar that obligates making up but not penance**

#### **1. Making up at one's leisure:**

- a. An ill person who is expected to recover.
- b. A traveller on a long travel.
- c. A pregnant or breast feeding woman if she fears for herself only, or for herself and her baby.
- d. One who breaks his fast out of fear for himself in saving a person or animal on the verge of dying, or out of fear for his life and that of the person or animal he is going to rescue.
- e. One who postpones making up until the following Ramadan because his excuse was continuous.

It has been mentioned earlier that a menstruant or postnatally bleeding woman must not fast and that she should make missed fasting-days up. For such a woman, making up is an obligation at leisure.

It is recommended to make up missed fasting days in succession. Abu Hurayrah  narrated that the Messenger of Allah  said: “If anyone of you has to make up for days of Ramadan, let him fast them continuously and not interrupt them.”<sup>2</sup>

#### **2. Immediate making up:**

- a. One who is transgressing in breaking his fast.
- b. An apostate if he returns to Islam.
- c. The insane, drunk, and unconscious if they wake up.
- d. One who, intentionally or unintentionally, does not make his intention at night and does not compensate by following another school.
- e. One who wakes up not fasting on the *day of doubt*<sup>3</sup> and then it is proven that it is the first day of Ramadan.

### **Iftar that does not obligate making up or penance**

This is the case of a boy if he has his first wet dream, an insane person, who is not responsible for his insanity, if he recovers<sup>4</sup>, and an original kafir if he embraces Islam because all these are not accountable for the duties of Islam because each lacks one of the conditions of obligation. The first lacks puberty, the second lacks sanity, and the third lacks Islam. However, it is recommended, but not obligatory, for all of them to abstain from things which break the fast starting from the moment their *bar* is lifted. Hence, if they do not abstain for the rest of the day, they are recommended not to eat in the presence of someone who is not aware of their situation, so as not to be doubted

<sup>1</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 27/156.

<sup>2</sup> Al-Bayhaqi, Vol. 4, page 259.

<sup>3</sup> The day of doubt is the thirtieth day of Sha'ban if its night is cloudy and people are uncertain whether it is part of Sha'ban or Ramadan.

<sup>4</sup> As for an apostate who goes mad, he must make up if he returns to Islam and recovers his sanity, because he cannot utilize dispensations.

in their religion. The same applies to a menstruant or postnatally bleeding woman if she becomes pure in the middle of a fasting-day.

### **Forbidden iftar that obligates making up and major penance (kaffara)**

This is the case of one who is obligated to fast, intentionally and with free will, having sexual intercourse in the daytime<sup>1</sup> in the month of Ramadan knowing that this is forbidden and having made the intention to fast at night.

Penance is not obligatory upon the woman even if she was the cause or compliant. Penance is not obligatory on the man if he forgot he was fasting, or was forced to have intercourse, or was ignorant that this is forbidden and he has a reasonable excuse for his ignorance such as being a new convert to Islam or growing up away from Muslim scholars. However, if one is ignorant of the penance it is still obligatory upon him. Penance is not obligatory for someone who has intercourse in the daytime while not fasting for an excuse, such as illness or travel, nor for someone who intentionally breaks his fast, by eating or drinking, then has intercourse because the intercourse took place while he was not fasting.

### **What the major penance constitutes**

Major penance is achieved by freeing a Muslim slave. If one cannot find a Muslim slave, either because he is not available, or because he cannot afford him, he should continuously fast for two consecutive months in addition to making up the day for which the major penance was necessitated. If he breaks fast for one day only, even for an excuse such as travel or illness, the continuity is interrupted and he has to start from the beginning all over again, even if he breaks fast on the last day of the two months !

If one absolutely cannot fast or cannot fast continuously, then he must provide food for sixty poor persons he is not obliged to sustain. Cooking a meal and inviting sixty poor persons over for lunch or dinner does not count. Rather, one should put into the possession of each one of them one mudd<sup>2</sup> of the staple of his country. It is not valid to give one poor person sixty mudds in one day, but it is valid to give the same poor person sixty mudds for sixty days, one mudd each day. If one is unable to fulfill any of the three types of penance, he remains accountable since he brought it upon himself.

Abu Hurayrah رضي الله عنه said: "A man came to the Prophet ﷺ and said: 'O Messenger of Allah, I have perished'. He said: 'And what caused your perishing?' He said: 'I had intercourse with my wife in Ramadan.' He said: 'Can you find a slave to free?' He said: 'No.' He said: 'Can you fast for two consecutive months?' He said: 'No.' He said: 'Can you find food to provide for sixty poor persons?' He said: 'No,' and he sat down. The Prophet ﷺ then brought a basket filled with dates and said: 'Give this away to charity.' He said: 'To poorer than us? There is no household, between the

<sup>1</sup> Between dawn and sunset.

<sup>2</sup> Mudd: A cubic vessel whose side is 9.2 cm long and the weight of its volume of wheat is three oqiya (600 grams) approximately.

limits of this city who are in more need of it than us.' The Prophet ﷺ laughed until his canines showed, and said: 'Go and feed it to your family.'<sup>1</sup>

If one dies, his inheritors must pay out the penance from his inheritance. If he left no inheritance, a responsible family member can undertake it on his behalf either by fasting or by (paying from) his own money, otherwise he remains liable for it, if Allah wishes He may overlook it and forgive him, otherwise he will be punished for it. It is valid for sixty persons to fast on one day on his behalf.

### **Recurrence of the major penance**

The penance is obligatory for violating the fast by intercourse, for each day of Ramadan, even if more than one intercourse takes place in one day. The penance is related to the number of days because fasting each day is an independent worship.

### **Lifting the major penance**

The major penance is lifted by death or insanity, occurring on the same day the person committed this violation, because death and insanity terminate the person's accountability for his actions. This is true provided the person did not cause his own death or insanity. The major penance cannot be lifted by illness, travel or financial distress.

### **Fidya (minor kaffara or penance)**

Fidya consists of providing one poor person with one mudd of the main staple in the country, for each day. It is not permissible to pay the value<sup>2</sup> of that food nor to provide it before Ramadan. Rather, it should be provided after the eve of the fasting day. It is obligatory for all persons in the previously mentioned cases of iftar which obligate penance (fidya), with or without making up.

<sup>1</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 14/81.

<sup>2</sup> In the Hanafi school, the amount of fidya is half a sa' of wheat or one sa' of dates or raisins, and it is permissible to pay its value. Hence, if a person following the Shafi'i school wants to pay out the value of fidya, he should pay the value of half a sa' not that of one mudd. One sa', at the time of Imam Abu Hanifa, equals 4 kg approximately. Hence, half a sa' is equal to 2 kg approximately of the staple of the country.

# RECOMMENDED, MAKROOH AND FORBIDDEN FASTING

## Recommended fasting

### Its evidence

Abu Sa'id Al-Khadari رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Never did a person fast for a day, for the sake of Allah, but that Allah distanced by that day his face from Fire the distance of seventy years."<sup>1</sup>

### Its types

#### Fasts that recur annually

1. Fasting on the *day of Arafah*<sup>2</sup> unless one is a pilgrim or traveller. Abu Qatadah رضي الله عنه narrated that the Prophet ﷺ said: "Fasting the day of Arafah makes amends for the sins of the past year and the subsequent year."<sup>3</sup> If the pilgrim arrives at Arafah at night then it is recommended to fast the day, otherwise it is recommended not to fast. It is best to also fast on the eighth of *Thul Hijjah* so as not to miss it.
2. Fasting the first ten days of *Thul Hijjah*. Ibn Abbas رضي الله عنه said: "The Prophet ﷺ said: 'There are no days in which good deeds are more beloved to Allah than these ten days.' They said: 'O Messenger of Allah, not even striving for the sake of Allah?' The Messenger of Allah ﷺ said: 'Not even striving for the sake of Allah, except for a man who went out (for jihad) with his soul and money and did not come back with either.'"<sup>4</sup>
3. Fasting the ninth and tenth of the month of *Muharram*. Abu Qatadah رضي الله عنه narrated that the Prophet ﷺ said: "And fasting the tenth day (of Muharram), will expiate the year before it."<sup>5</sup> Also Ibn Abbas رضي الله عنه said: "The Messenger of Allah ﷺ said: 'If I live till next year, I will fast the ninth (of Muharram).'"<sup>6</sup> It is safer to fast the tenth and the day before it and the day after.
4. Fasting six days of *Shawwal*. Abu Ayoub Al-Ansari رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Whoever fasts Ramadan and follows it with (fasting) six days from Shawwal, it will count like the fasting of a lifetime."<sup>7</sup> It is best to fast them

<sup>1</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 31/167.

<sup>2</sup> At 9 *Thul Hijjah*.

<sup>3</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 36/196.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 52/757.

<sup>5</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 36/196.

<sup>6</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 20/134.

<sup>7</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 39/204.

consecutively just following the day of *Eid Al-Fitr*. However, the sunna can be achieved by fasting any six days of Shawwal.

5. Fasting the *sacred months*, which are: Thul Qe'da, Thul Hijja, Muharram, and Rajab. As well as the month of Sha'ban. The best of these is fasting Muharram, then the other sacred months, then Sha'ban for Abu Hurayrah رضي الله عنه said: "The Messenger of Allah ﷺ said: 'The best fasting after Ramadan is the month of Muharram, and the best prayer after the obligatory prayer is the prayer at night.'" <sup>1</sup> However, it has been narrated about the Messenger of Allah ﷺ that he never fasted a whole month, apart from Ramadan, but Sha'ban. Usama ibn Zaid رضي الله عنه said: "I said: 'O Messenger of Allah, I never saw you fast in any month as much as you fast in Sha'ban.' He said: 'This is a month, between Rajab and Ramadan, that people overlook and it is a month in which deeds are raised to the Lord of the worlds, and I like my deeds to be raised while I am fasting.'" <sup>2</sup>

### Fasts that recur monthly

These include the *white days* <sup>3</sup>. Abu Tharr رضي الله عنه said: "The Messenger of Allah ﷺ said: 'O Abu Tharr, if you fast three days of a month then make them the thirteenth, fourteenth, and fifteenth.'" <sup>4</sup> Also, it is recommended to fast the *black days* <sup>5</sup>.

### Fasts that recur weekly

1. Fasting Mondays and Thursdays. Aisha رضي الله عنها said: "The Prophet ﷺ used to do his best to fast each Monday and Thursday." <sup>6</sup> Also, Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Deeds are presented (to Allah) on Monday and Thursday, and I like for my deeds to be presented while I am fasting." <sup>7</sup>
2. Fasting a day on which one cannot find anything to eat, for the above mentioned hadith narrated by Aisha رضي الله عنها: "... then I am fasting ...."
3. The best type of fasting is to fast every other day for the Messenger of Allah ﷺ said to Abdullah ibn Amr رضي الله عنه: "Fast one day and break fast the next, for that is the fasting of Dawood عليه السلام, and it is the best fast." <sup>8</sup> Fasting one's lifetime is recommended only if one does not fear that this may harm him or make him unable to carry out his duties.

It is permitted for someone who is fasting a non-obligatory fast to break his fast and he is recommended to make it up. However, it is best for him to complete his fast and not

<sup>1</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 38/202.

<sup>2</sup> Al-Nasa'i, Vol. 4, page 201.

<sup>3</sup> The thirteenth, fourteenth, and fifteenth days of each lunar month. They are called white days because their nights are lit by the full moon.

<sup>4</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 54/761.

<sup>5</sup> The twenty eighth, ninety eighth, and thirtieth days of each lunar month, so called because they have no moon.

<sup>6</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 44/745.

<sup>7</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 44/747.

<sup>8</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 55/1875.

to break it but for an excuse, for Allah ﷻ says: "And do not undo your deeds,"<sup>1</sup> and to avoid contradicting scholars who do not permit breaking non-obligatory fasts.

## Makrooh fasting

It is makrooh to fast Friday alone for Abu Hurayrah ﷺ said: "I heard the Prophet ﷺ saying: 'Do not fast on Friday unless you fast a day before or after it.'"<sup>2</sup> Also, it is makrooh to fast on Saturday by itself or Sunday by itself, for Abdullah ibn Yusr narrated from his sister ﷺ that the Messenger of Allah ﷺ said: "Do not fast on Saturday except when it is obligated upon you by Allah,"<sup>3</sup> and because the Jews glorify Saturday and the Christians glorify Sunday. If one does not fast one of these days on its own, but joins it with what is before or after it, then it is not makrooh. Also, it is not makrooh if there is a reason such as a habit or vow.

It is makrooh to fast one's lifetime if one fears harm or the inability to carry out all his duties. It is also makrooh to fast a non-obligatory day while one has to make up for an obligatory fast.

It is makrooh for the ill, the travelling, the pregnant, the breast feeding, or the old to fast in Ramadan or otherwise if they fear excessive hardship.

It is makrooh to fast the *day of doubt*<sup>4</sup>. Ammar ibn Yaser ﷺ said: "One who fasts on the day which people are uncertain of, disobeys Abu Al-Qassem<sup>5</sup> ﷺ." However, it is not makrooh to fast the day of uncertainty if it coincides with a day one habitually fasts, or if someone has to fast for a vow or penance or make up for missed fasting.

It is makrooh to fast the second half of Sha'ban. Abu Hurayrah ﷺ narrated that the Messenger of Allah ﷺ said: "If half of Sha'ban is left, then do not fast."<sup>7</sup> However, it is not makrooh to fast on days one habitually fasts or for a vow or penance or to make up for missed fasting. Similarly, if one has been fasting before mid-Sha'ban, even for one day, such as fasting the day of mid-Sha'ban, then it is permissible to continue fasting the second half. If one has been fasting before mid-Sha'ban and continues fasting the second half then interrupts his fasting, it is makrooh to continue to fast again without a reason.

## Forbidden fasting

It is forbidden to fast on the days of Eid Al-Fitr and Eid Al-Adha. Abu Sa'id ﷺ said: "The Prophet ﷺ forbade fasting the *Day of Fitr* and the *Day of Nahr* (Sacrifice)."<sup>8</sup> It is also forbidden to fast the *Days of Tashriq*, which are the second, third, and fourth

<sup>1</sup> Muhammad, 33.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 62/1884.

<sup>3</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 43/744.

<sup>4</sup> Al-Asnawi said: "This is the well known opinion agreed upon by most scholars and is forbidden by the school as in Al-Rouda, Al-Minhaj, and Al-Majmu'.

<sup>5</sup> A name of Prophet Muhammad ﷺ.

<sup>6</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 3/686.

<sup>7</sup> Al-Tirmithi, Vol. 3, The Book of Fasting, Chapter 38/738.

<sup>8</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 65/1890.



days of Eid Al-Adha. Nubaisha Al-Huthali رضي الله عنه said: "The Messenger of Allah ﷺ said: 'The days of tashreeq are days of eating, drinking, and remembrance of Allah.'" <sup>1</sup> Hence, if one fasts on a forbidden day, his fast will not be valid.

It is forbidden for a woman to fast **non-obligatory** fasting, while her husband is present, without his permission. Abu Hurayrah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "A woman should not fast, while her husband is present, without his permission." <sup>2</sup> Also, the rights of the husband are an obligation (on the wife) and they should not be abandoned for a non-obligatory worship. If a woman fasts (without her husband's permission), her fast is valid, but she is sinful. A non-obligatory fasting while her husband is away, is permissible for the above hadith and for the absence of the reason of prohibition.

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<sup>1</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 23/144.

<sup>2</sup> Al-Bukhari, Vol. 5, The Book of Marriage, Chapter 84/4896.

# I'TIKAF (SPIRITUAL SECLUSION)

## Its definition

**Literally:** I'tikaf is to stay, to be imprisoned, to accompany or to be devoted to something, be it good or bad, for Allah ﷻ says: "What are these images to which you are (so assiduously) *devoted*?"<sup>1</sup>

**Legally:** The residence of a particular person in a mosque in a particular manner.

## Its evidence

Allah ﷻ says: "But do not associate with your wives while you are in seclusion in the mosques,"<sup>2</sup> and Aisha ؓ said: "The Messenger of Allah ﷺ used to go into i'tikaf in the last ten days of Ramadan,"<sup>3</sup> as well as the consensus of the Muslim nation.

## Its legal status

1. Confirmed sunna for anyone, male or female, at any time, day or night, in Ramadan or otherwise. It is better in the last ten days of Ramadan than in other times so that one can seek the night of Qadr (night of high honor) as mentioned earlier.
2. Obligatory if vowed.
3. Makrooh for an attractive woman if she intends to do it in a mosque, even with her husband's permission.
4. Forbidden for a woman whose husband did not permit her.

## Its pillars

1. The intention. The Prophet ﷺ said: "Deeds are (determined) by their intention," and because it is pure worship hence it is not valid without intention just like fasting and praying. The place of the intention is the heart and it is not necessary to pronounce it. In intending a vowed i'tikaf, one must specify that it is obligatory, by saying: "I intend obligatory i'tikaf," [117] or "I intend the obligation of i'tikaf." [118] It is sufficient to say: "I intend vowed i'tikaf." [119] In recommended i'tikaf, it suffices to say: "I intend i'tikaf" [120] or "I intend the sunna of i'tikaf." [121]
2. Staying in a mosque, literally or virtually<sup>4</sup>, whether male or female. Hence, i'tikaf is not valid anywhere except in a mosque. However, some scholars say that a woman

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<sup>1</sup> Al-Anbia', 52.



<sup>2</sup> Al-Baqara, 187.

<sup>3</sup> Muslim, Vol. 2, The Book of Fasting, Chapter 1/3.

<sup>4</sup> This includes walking around in the mosque. However, passing through the mosque, by entering through one door and leaving from another, does not count as i'tikaf.

can do i'tikaf in her home if she designates a special place for her prayers and says:  
"This is my mosque and I intend i'tikaf in it."

I'tikaf in a mosque in which Friday prayers are held is better than i'tikaf in one in which no Friday prayers are held. However, it is not obligatory to have one's i'tikaf in a mosque in which Friday prayers are held, except when one vows i'tikaf for a continuous period of time which includes Friday and he is one of those obliged to pray Friday and he has not stipulated when vowing to go out of his i'tikaf for it. In this case, he is obliged to do his i'tikaf in a mosque in which Friday prayers are held so that he will be able to perform the obligation of Friday prayer. If he leaves the mosque for Friday prayer, continuity will be broken and he has to re-start i'tikaf all over again.

If one specifies a particular mosque in his vow, it does not count and he can do i'tikaf in any other mosque. However, if one specifies one of the three mosques: Al-Haram, Al-Madina, or Al-Aqsa Mosques, it counts. However, these three can stand for each other according to their rank of holiness. For example, if one intends i'tikaf in Al-Aqsa Mosque then he can go to it, or the Prophet's Holy Mosque, or the Al-Haram Mosque for the latter two are more holy than the first. Similarly, if one vows i'tikaf in the Prophet's Holy Mosque then it is valid to go to it or to Al-Haram Mosque. Conversely, if one specifies Al-Haram Mosque in his vow, he is obliged to do what he specified, and consequently it is not valid to do i'tikaf in the Prophet's Holy Mosque, and, if one specifies the Prophet's Holy Mosque then it is not valid to do i'tikaf in Al-Aqsa Mosque. Jaber  narrated that the Messenger of Allah  said: "A prayer in my mosque is better than a thousand prayers in other mosques except for Al-Haram Mosque, and a prayer in Al-Haram Mosque is better than a hundred thousand prayers in other mosques."<sup>1</sup>

## Conditions for the person in i'tikaf

1. Islam, at the beginning (of i'tikaf) and throughout. The i'tikaf of a kafir is not valid because i'tikaf is a branch of faith. If one reverts from Islam while in i'tikaf, his i'tikaf is nullified.
2. Sanity/discrimination. However, puberty is not stipulated. Hence, the i'tikaf of a young boy is valid, unlike that of the insane because he is not qualified for worship just like a kafir.
3. Purity from major hadath, be it menstruation, postnatal bleeding, or janaba because staying in a mosque while in a menstrual or postnatal period, or in a state of janaba is sinful. If menstruation, postnatal bleeding, or janaba occurs during i'tikaf, the person should leave the mosque immediately.

## When the intention of i'tikaf must be renewed

1. If the period of i'tikaf has not been specified and one goes out of the mosque without intending to go back, his i'tikaf is broken and he has to re-new the intention

<sup>1</sup> Ibn Maja, Vol. 1, The Book of Athan and its Sunnas, Chapter 195/1406.

if he wants to do a i'tikaf. However, if one goes out for an excuse with the intention of coming back (to his i'tikaf) then there is no need for him to re-new the intention.

2. If the i'tikaf is determined by an absolute period, without intending continuity, then if one goes out for some genuine need, he is not required to re-new his intention when he comes back. However, if he goes out for some other reason, he must renew the intention when he comes back.
3. If one specifies i'tikaf with a period and stipulates continuity then if he goes out for an excuse, he need not renew the intention when he comes back. The following excuses do not break the continuity:
  - a. Going out of the mosque to eat or drink if food or water are not available in the mosque, or going out to go to the bathroom or perform ghusl from janaba. Aisha رضي الله عنها said: "The Messenger of Allah ﷺ used to put his head through to me, while he was in the mosque, and I would comb and oil his hair. He used not to enter the house, when he was in i'tikaf, except for a need."<sup>1</sup> However, one is not permitted to stay outside the mosque beyond the fulfilling of his need.
  - b. Going out of the mosque to an attached minaret to call for prayer if the person in i'tikaf is a regular muezzin and people are used to his voice and he is used to going up the minaret. Otherwise his i'tikaf will be nullified.
  - c. Going out to receive penalty for a felony one did not admit to doing.
  - d. A woman going out to spend the period of idda not caused by her.
  - e. Going out to give testimony (in a court) that one is obliged to bear and perform.
  - f. Going out of the mosque because of an illness that makes it difficult for one to stay in the mosque, such as needing someone to nurse him, a doctor to treat him, or if he fears polluting the mosque if he is afflicted with diarrhea or vomiting. A slight illness such as headache or fever is not regarded as an excuse for going out of the mosque.
  - g. Going out of the mosque because of menstruation if the period of i'tikaf cannot exclude it, such as it being longer than fifteen days.
  - h. Going out of the mosque because of unconsciousness. If the unconscious person stays in the mosque, the period of his unconsciousness is counted in the period of i'tikaf. This is unlike insanity, the period of which is not counted because the person is no longer accountable for worship.
  - i. Being wrongfully forced out of, or forgetfully leaving, the mosque. Ibn Umar رضي الله عنه narrated that the Messenger of Allah ﷺ said: "Allah has forgiven my nation's error, forgetfulness and what they are forced to do."<sup>2</sup>

When the excuse, that does not break the continuity of i'tikaf, is over one should go back without renewing one's intention. If he delays going back, the continuity

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Spiritual Seclusion, Chapter 3/1925.

<sup>2</sup> Ibn Maja, Vol. 1, The Book of Divorce, Chapter 16/2045.

will be broken, and it is no longer possible to build upon the past period and it is obligatory to re-start with a new intention. One must make up for time spent in things other than fulfilling a need, going to, and coming from the place where the need is.

## Things which nullify i'tikaf

1. Deliberate intercourse, while aware of the i'tikaf, and knowing that it is forbidden. Intercourse nullifies i'tikaf, be it in the mosque or elsewhere for Allah ﷻ says: "And do not associate with your wives while your are in i'tikaf in the mosques."<sup>1</sup>
2. Engaging in *mubashara* (all forms of sexual touching: caressing/fondling/foreplay) with desire. Mubashara without desire does not nullify one's i'tikaf.
3. Apostasy, and drunkenness if one causes it. Also, insanity and unconsciousness if one causes them. As well as janaba if one does not rush to purify himself, but if he rushes, his i'tikaf will not be nullified.
4. Menstruation and postnatal bleeding if the period of i'tikaf normally would not include them.
5. Deliberately going out of the mosque without an excuse, for the above mentioned hadith narrated by Aisha ؓ which says: "... He used to not enter the house, when he was in i'tikaf, except for a need," and because i'tikaf is staying in the mosque, if he leaves, then he commits what contradicts staying without an excuse, thus nullifying i'tikaf, just like eating in fasting.
6. Not going back to the mosque, though being able to, if one left for an excuse and the excuse is gone.

The meaning of nullification is that this time does not count from i'tikaf. When the interruption is over, one can re-new the intention and build upon the previous period if the i'tikaf is bound by a period-without-continuity. If the i'tikaf is bound by a period and continuity, the i'tikaf is nullified, and one leaves it, and must start over from the beginning. If the i'tikaf is general, nullification means that its continuity has been broken. There is no building upon nor renewal of intention in this case. The past period counts and fulfills i'tikaf.

I'tikaf is not affected by wearing perfume, making ghusl, cutting one's moustache, combing one's hair, wearing what one does not usually wear in i'tikaf, getting married or performing a marriage. The person in i'tikaf can eat, drink, or write. It is not makrooh to profusely write down knowledge, teach it, or recite Quran, because all these are acts of obedience (to Allah). One can also buy, sell, or talk of permitted things. However, it is makrooh to do a lot of buying or selling because a mosque is considered above such matters.

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<sup>1</sup> Al-Baqara, 187.



**PART FIVE**  
**THE BOOK OF ZAKAT**  
**(CHARITY)**





# ZAKAT, ITS TYPES AND CONDITIONS

## The meaning of zakat

**Literally:** Zakat means growth, *baraka* (a concept that means great blessing and fruition), increase, and the abundance of good. The word zakat also means purity for Allah ﷻ says: "Truly he succeeds that *purifies* it,"<sup>1</sup> that is to purify it from baseness and filth. It is also used in the meaning of praise, for Allah ﷻ says: "Therefore *praise* not yourselves."<sup>2</sup>

**Legally:** Zakat is the name of a sum of money or an amount of property taken out of collected personal assets, within certain conditions and designated to specific recipients. It is called zakat because wealth grows by virtue of giving it away and because it purifies one who donates it from sins and shows his increase in good.

## The legal status of zakat and its evidence

Zakat is one of the pillars of Islam and one of its obligations.

The evidence of zakat in the Quran is Allah's ﷻ saying: "Of their goods take alms, that so thou mightest purify and sanctify them."<sup>3</sup> Also, Allah ﷻ says: "And perform prayer and give zakat."<sup>4</sup>

In sunna, Ibn Umar ؓ said: "The Messenger of Allah ﷺ said: 'Islam is built upon five ... and giving zakat ....'"<sup>5</sup>

The Muslim nation has unanimously agreed that zakat is one of the pillars of Islam. Hence, belief in it is obligatory, and one who denies it has committed apostacy. One who refuses to pay zakat should be fought for it, as Abu Bakr Al-Siddeeq ؓ did. Abu Hurayrah ؓ narrated that Abu Bakr ؓ said: "By the name of Allah, I will fight those who differentiate between prayer and zakat for zakat is the right of money."<sup>6</sup>

## The types of property on which zakat is obligatory

Zakat is obligatory on four things:

1. Livestock, (camels, cattle, sheep, and goats).
2. Grain and fruit: Those which are considered staples specifically. From grain, this includes wheat, barley and rice and from fruit, raisins and dates only. Peaches,

<sup>1</sup> Al-Shams, 9.

<sup>2</sup> Al-Najm, 32.

<sup>3</sup> Al-Tauba, 103.

<sup>4</sup> Al-Baqara, 110.

<sup>5</sup> Al-Bukhari, Vol. 1, The Book of Faith, Chapter 1/8.

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 1/1335.

apricots, plums, and other fruit do not count because they do not constitute complete nutrition and can not be stored.

3. Money, (gold and silver)

4. Trade goods.

## The conditions obligating zakat

1. Islam: Abu Bakr Al-Siddeeq رضي الله عنه said in a letter to Anas رضي الله عنه when he sent him to Bahrain: "This is the obligation of charity which the Messenger of Allah ﷺ has obligated on Muslims and which Allah has ordered His messenger to collect."<sup>1</sup> Zakat is not obligatory on a disbeliever. As for an apostate, his wealth is confiscated.<sup>2</sup> If he returns to Islam, zakat is obligated on him for the period of apostasy. If one pays zakat while he is in a state of apostasy, it counts.

2. *Nisab*: This is the name of a known (minimum) amount for which zakat is obligated. Hence, no zakat is obligatory for less than this amount. The amount of nisab differs with different kinds of property for which zakat is obligatory.

3. Certain and specific ownership. Zakat is not obligatory on a property dedicated to an unborn baby, whether it is born dead or alive, nor on the inheritors for the period preceding the baby's birth. Therefore the *term*<sup>3</sup> is counted from birth because of the uncertainty of ownership before that.

The same applies to the harvest of a village, or the fruit of orchards which are dedicated to mosques, schools, or the poor and needy, as well as the funds and money of charities, since there is no specific owner.

4. Complete ownership. Hence, zakat is obligatory on sequestered property such as the property of a child, the insane, or an orphan. It is the guardian of such a person who should pay zakat for him. Abd Al-Rahman ibn Al-Kassem narrated that his father said: "Aisha was guardian over my brother and me, as we were two orphans in her home, and she used to pay zakat from our money."<sup>4</sup> If the guardian does not pay zakat, one should pay himself after reaching the age of puberty or recovering from insanity because the obligation still exists for the wealth. It is best for the guardian to calculate the amount of zakat until the person whose property is sequestered reaches the age of puberty and then tell him/her of its amount rather than paying it himself.

Debt does not render zakat void, even if the property of the accountable person is sequestered because of this debt. If a living person must pay for both zakat and a debt, and if this zakat should be paid from the property itself<sup>5</sup>, then paying zakat takes priority over the debt whether or not the property is sequestered because of

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 37/1386.

<sup>2</sup> Because the property of an apostate is confiscated by the Muslim Government.

<sup>3</sup> A term in the context of zakat is one lunar year, which is three hundred and fifty four days.

<sup>4</sup> Al-Muwatta, Vol. 1, The Book of Zakat, Chapter 6/13.

<sup>5</sup> Such as the zakat on livestock.

it.<sup>1</sup> However, if zakat need not be paid out from the property itself<sup>2</sup>, and one's property is sequestered for the debt, then paying the debt takes priority over zakat. If one's property is sequestered for a reason other than debt, such as foolishness or insanity, then paying zakat takes priority.

If zakat, hajj, penance, and debt are demanded of a deceased person then paying the first three from the inheritance funds takes priority over paying back the debt, because debts to Allah are worthier of being paid back than debts to people. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "... Then the debt to Allah is worthier of being paid back."<sup>3</sup>

Zakat is also obligatory on assets that have been wrongfully seized, or have been sequestered or lost, or exist at a distant place, or are owned by contract but have yet to be received,<sup>4</sup> or on a *binding loan*,<sup>5</sup> because all of the preceding are fully owned. It is not, however, obligatory to actually pay zakat on any of such properties until one puts his hand on them, at which time one has to pay zakat for all of the preceding terms. However, zakat is not obligatory if the property is destroyed before putting one's hand on it.<sup>6</sup>

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<sup>1</sup> If his property is sequestered because of the debt, the amount of zakat should first be calculated, then the property sequestered for the sake of the creditors.

<sup>2</sup> Such as the zakat of money.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Fasting, Chapter 41/1852.

<sup>4</sup> Such as one who buys some trade goods with the intention of making trade, but does not receive them, and a full term elapses while the goods are in the hands of the seller. The buyer in this case has to pay zakat for these goods.

<sup>5</sup> However, zakat is not obligated if the loan is not binding. Furthermore, if the loan is in the form of cattle then neither the debtor nor the creditor has to pay zakat on it. For example, if someone lends forty heads of ewes and a full term elapses while they are with the debtor, then their owner does not have to pay zakat because having the cattle grazed by its owner is a condition of obligating zakat on cattle.

<sup>6</sup> According to Imam Malek رضي الله عنه, no zakat is obligated on a loan even if it is years before one gets it back, in which case he is obligated to pay zakat on it for one year only if it is trade goods or revenue from sale. Abu Yusuf and Al-Shafi'i have formerly ruled that no zakat is obligated on a loan until one gets it back in which case he restarts counting the term. However, this previous ruling of Al-Shafi'i is not adopted here.

# ZAKAT OF LIVESTOCK

Livestock includes: Camels, cattle including buffalo, sheep and goats.

## Zakat of camels

### The nisab of camels

The minimum number of camels, male or female, is five. Zakat is not due on less than that.

### The zakat of camels

If one owns five to twenty camels, then his zakat is one *shat*<sup>1</sup> (sheep or goat), for every five camels, that is: Either a one year old ewe in its second year which has lost its front teeth, an ewe which has lost its front teeth though it may be less than one year old, a male sheep that has lost its front teeth, a two year old female goat in its third year, or a two year old male goat.

If one owns twenty five camels, zakat is a one year old female camel and if one cannot find a one year old female camel then a two-year old male camel or a three year old male or female camel in its fourth year.

If one owns thirty six camels, the zakat is a single two-year old female camel. If one owns forty six, his zakat is a single three-year old female camel or two two-year old female camels.

If what one owns reaches sixty one, its zakat is a single four-year old female camel in its fifth year that has lost its front teeth, or two two-year old females, or two three-year old females because they suffice for more than this amount.

If the herd reaches seventy six then their zakat is two two-year old females. If it reaches ninety one then their zakat is two three-year old females. If the herd reaches one hundred and twenty one, then the zakat for each forty is one two year old female, and for each fifty, one three year old female, so that the zakat for one hundred and twenty one is three two-year old females.

Furthermore, the amount of zakat for one hundred and thirty camels is two two-year old and one three-year old females, and the amount of zakat for one hundred and forty camels is two three-year-old and one two-year-old females, and so on.

The origin of all this is the letter of Abu Bakr Al-Siddeeq to Anas رضي الله عنه when he sent him to Bahrain to collect zakat in which he said: "In the name of Allah, most Merciful and Compassionate. This is the obligation of zakat which the Messenger of Allah ﷺ

<sup>1</sup> The reason that one *shat* is obligated for every five camels though it may seem obvious that a camel should be obligated is that a camel is the zakat for twenty five camels. Hence, if one owns five camels only he has to give one fifth of a camel as zakat which incurs loss to the owner as well as the one who receives the zakat because they have to share (a single camel). Therefore, a *shat* is accepted as zakat in order to make it easier for both parties.

obligated on Muslims... For twenty four camels or less, sheep and goats are to be paid as zakat, for every five camels one shat is to be paid; and if there are between twenty five to thirty five camels, one newly born female camel is to be paid; and if they are between thirty six to forty five camels, one two year old female camel is to be paid; and if they are between forty six to sixty camels, one three year old female camel is to be paid; and if they are between sixty one to seventy five camels, two camels of two years old are to be paid; and if they are from ninety one to one hundred and twenty camels, two three year old camels are to be paid; and if they are over one hundred and twenty camels, then one two year old female camel is to be paid for every forty camels, and one three year old female camel for every fifty camels...."<sup>1</sup> The following table summarises the amount of zakat on camels.

<i>Number of camels</i>	<i>Amount of zakat</i>
5-24	Owed for every five camels: One female or male sheep which has lost its front teeth, or one two-year-old female or male goat in its third year.
25-35	One one-year-old female camel, or one two-year-old male camel, or one three-year-old male camel.
36-45	One two-year-old female camel.
46-60	One three-year-old female camel, or two two-year-old female camels.
61-75	One four-year-old female camel which has lost its front teeth, or two two-year-old female camels, or two three-year-old female camels.
76-90	Two two-year-old female camels.
91-120	Two three-year-old female camels.
121 or more	Owed for every forty camels: One two-year-old female camel. Owed for every fifty camels : One three year old female camel

<sup>1</sup> Al-Bukhari, Vol 2, The Book of Zakat, Chapter 37/1386.

If the owner does not have what he needs to pay, he can go up one or two levels, and take the difference, which is two shats or twenty silver dirhams<sup>1</sup> for each level, from the zakat collector. Conversely, he can go down one or two levels and pay the difference in shat and dirhams, provided the payer agrees. It is not valid to go two levels up or down if one is financially capable of moving one level in either direction.

## **Zakat of cattle**

### **The nisab of cattle**

Thirty heads of cattle, male or female. Zakat is not obligatory for anything less.

### **Zakat of cattle**

For thirty heads of cattle zakat is a one-year old male calf. A one-year old female calf will suffice and is indeed better. If the herd reaches forty heads of cattle, its zakat is one two-year-old cow, or two one-year-old male calves. Mu'ath رضي الله عنه said: "The Prophet ﷺ sent me to Yemen and ordered me to take a one-year old male or female calf out of every thirty cows, and a two-year-old cow out of every forty cows."<sup>2</sup> When the herd reaches sixty or more heads, then its zakat is a one-year-old calf for every thirty heads and a two-year-old cow for every forty heads.

## **Zakat of sheep and goats**

### **The nisab of sheep and goats**

Forty heads, whether sheep or goats.

### **Zakat of sheep and goats**

For forty heads, the zakat is a one-year old sheep or a two-year old goat. If the herd is composed of both sheep and goats then one head out of either of the two types is sufficient. The value of the animal should be estimated according to the ratio of the two species. For example, if one owns twenty heads of sheep and twenty heads of goats he should pay one out of either of the two types and its value should be equal to half of the former and half of the latter. If the herd reaches one hundred and twenty one, then two heads are obligated. If the herd reaches two hundred and one then three heads are obligated. If the number reaches four hundred or more then one shat is taken out of every hundred heads of sheep and goats. Abu Bakr رضي الله عنه said in his letter to Anas ibn Malek when he sent him to Bahrain: "As for zakat of the grazing sheep and goats, if they are between forty to one hundred and twenty, one shat is to be paid; and if they are between one hundred and twenty to two hundred, two shat are to be paid; and if they are between two hundred to three hundred, three shat are to be paid; and for over three hundred, one shat is to be paid for every extra one hundred sheep and goats. If

<sup>1</sup> One dirham equals 2.97 grams of silver approximately.

<sup>2</sup> Al-Tirmithi, Vol. 3, The Book of Zakat, Chapter 5/623.

one's grazing (sheep and goats) are less than forty, no zakat is required unless one wishes."<sup>1</sup>

## **Zakat of two people who have formed a partnership**

Partners pay zakat like one person whether the joint property is composed of sheep and goats, cattle, or camels. For example, if they own eighty heads of shats then they have to pay out one shat only, like a single person. If, on the other hand, they are not partners, and each one of them owns forty heads of shats then each individual must give away one shat. If they own sixty shats for example, and one owns a third and the other owns two thirds, then they owe one shat only. The first has to pay one third of its price and the latter has to pay two thirds. If they are not partners, the former does not have to pay zakat because he does not have the minimum number of heads for which zakat is due.

Two partners cannot give zakat as one person unless they fulfil the following conditions:

1. The jointly owned property must be greater than the minimum amount for which zakat is payable.
2. The animals must sleep in the same stable/pen.
3. The animals must gather in the same place before grazing.
4. They must share the same pasture. Further, the animals of each partner should not have their own shepherd.
5. They must share the same watering hole, such as a spring, or a river.
6. A complete term needs to have passed since the beginning of the partnership. So, if each one of the two partners owned forty shats in the month of Muharram, then they entered into a partnership in the beginning of Rabi' Al-Ou'wal, then there is no partnership in the first term. Therefore, when Muharram comes again, each one of them has to give away one shat. In the following terms, however, they can pay zakat as partners.
7. Both partners must be eligible to pay zakat according to the general conditions that obligate it.

## **Conditions which must be satisfied by livestock destined for zakat**

It is not permissible to give away defective livestock, unless all of one's livestock are defective, nor to give away the sick. Also, it is not permissible to give away a male unless all of them are males, because, in livestock, the male is less valuable than the female. Nor is it permissible to give away the small unless they are all small, and so on. Conversely, it is not permissible to take out the best animal unless all of them are

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<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 37/1386.

superior, or the owner has agreed to give the best amongst the stock (such as the pregnant).

## **The conditions that obligate zakat on livestock**

In addition to the general conditions that obligate zakat, the following are stipulated:

1. Completion of the term. If the time of ownership falls short of a term, even by one minute, then no zakat is obligated. New offspring, however, follow their mother's term. For example, if the number of heads of livestock during the term was greater than the minimum number, then they produced new offspring, and the number of the newly born necessitated zakat, by making the total number of heads of shat equal to (for example) one hundred and twenty one, even one moment before the end of the term, then zakat is obligated on the total number.
2. The livestock must have grazed freely. That is, livestock must have been grazed on ownerless open range pasturage or on owned pasturage with the cost of grazing being too little to be considered. Furthermore, the livestock should be grazed by the owner or his deputy. If the livestock is grazed by someone other than the owner, (such as a thief), or if one inherited them and didn't know, then no zakat is obligated because the condition of grazing by the owner has not been satisfied. The grazed livestock is considered for zakat apart from ones that have been fed with fodder because their food is available by grazing on open pasture. If the cattle is fed (as opposed to grazed) during most, or all, of the term, then no zakat is obligated due to the cost of fodder. Even if the animals are fed for half, or less, by an amount without which they would not live or live but with defects, then no zakat is obligated either. If the owner feeds the animals an amount without which they can live without noticeable defects, without intending to interrupt the grazing condition, then zakat is obligated on them. It should be noted that livestock can live without fodder for one or two days but not three.
3. The animals should not be used for plowing or drawing (water) or the like, such as travel camels and plowing cattle, because such animals are not intended for breeding but for work.



# ZAKAT OF GRAIN AND FRUIT

In addition to the previously mentioned *general evidence* for zakat, the fact that zakat on grain and fruit is obligatory is determined by *specific evidence* in the Quran for Allah ﷻ says: "But render the dues that are proper on the day that the harvest is gathered."<sup>1</sup>

Zakat of grain and fruit is only obligatory on staples. From fruit, these are dates and grapes. From grain, these are wheat, barley, rice, lentils and other staples that can be stored such as corn, chickpeas, broad beans, kidney beans, and grass peas. As for the hadith narrated by Abu Musa Al-Ash'ari and Mu'ath ﷺ that the Prophet ﷺ sent them to Yemen and ordered them to teach the people about their religion and said: "Alms should not be taken out but from these four; barley, wheat, raisins, and dried dates."<sup>2</sup> It should be noted that this is restricted to the types of food that they had at that time. The fact that only these four types were mentioned in the hadith does not oppose the general ruling of zakat or the legal inference by analogy.

## The conditions which obligate zakat on grain and fruit

The following are in addition to the general conditions for obligating zakat:

1. The grain or fruit should have been sown by humans. Hence, no zakat is obligated on grain or fruit that grows by itself, or whose seeds have been carried by air or water.
2. The grain or fruit must be a staple<sup>3</sup> that can be stored<sup>4</sup>. Therefore, grain or fruit which cannot provide (full) nourishment or be stored, such as plums, pomegranates, figs, almonds, walnuts, apples, and apricots; or things which are eaten as food in times of drought such as colocynth, glasswort, cumin, black cumin, fennel, pepper, and linseed do not count.
3. Maturity. In grain, this occurs when the grains become hard because at this stage they become food, whereas before that it is still grass. In fruit, this occurs when they become sweet or change color.<sup>5</sup> In fruit which does not change color, such as white grapes, maturity or ripening occurs when the fruit has become soft, clear, and watery. The maturity and ripening of part of the crop, even if it is a small part, is the same as the maturity and ripening of the whole crop.
4. The amount of grain, or fruit, of the same kind must be more than the minimum amount of nisab. The amount of one kind of grain or fruit cannot be added to the amount of another, such as adding the amount of wheat to the amount of barley.

<sup>1</sup> Al-An'am, 141.

<sup>2</sup> Narrated by Al-Tabarani in Al-Kabeer, Mujma' Al-Zawa'id, Vol. 3, page 75.

<sup>3</sup> i.e. Of the types that provide (full) nourishment and sustain the body when eaten.

<sup>4</sup> i.e. That can be stored for long periods without getting spoiled.

<sup>5</sup> e.g. When the fruit becomes red, black, or yellow.

By contrast, different varieties of the same kind can be added together and zakat should be paid out of each variety according to its proportion (in the total amount). If it is not possible to take a proportion out of each variety, because the number of varieties is large, one can pay zakat out of the average (in price and quality) variety. The dates of one year cannot be added to the dates of another. This also applies to grain<sup>1</sup>. However, it is valid to add the dates of the same year together, or the grain of the same year to each other, even if they have different properties as a result of coming from different varieties or lands.

## The nisab of grain and fruit for which zakat is payable

The nisab of grain or fruit for which zakat is payable is five wasq<sup>2</sup>. Abu Sa'id Al-Khadari رضي الله عنه narrated that the Prophet ﷺ said: "Charity is not obligated on less than five wasq of dates."<sup>3</sup> This should be measured in dried dates or raisins, not fresh dates or grapes. Otherwise, the amount of fresh dates or grapes is measured<sup>4</sup> by an *assessor* then the amount of dry fruit that would result is estimated. The minimum amount of fruit or grain should be five wasq of dates, raisins, or grain which has been threshed.

## When must zakat on grain and fruit be paid

Zakat should actually be paid after the winnowing of the grain and the sorting of the fruit. Nonetheless, it is recommended to assess the amount of all (kinds of) fruit on which zakat is obligated as soon as they have ripened. The assessor should stop by every tree, and assess the amount of fruit on each tree while the fruit is ripe and then estimate how much it will be after it is dried. He should differentiate between the different varieties. He then should say to the owner: "I entrust you to give the recipients of zakat such and such amount of dates (or raisins)." The owner should guarantee (to give the recipients of zakat) the amount that is obligatory on him. The owner can then do whatever he likes with all his fruit. The assessor should be male, Muslim, just, and experienced. It is valid for the owner himself to be the assessor if he meets the above mentioned conditions. The evidence that assessment is recommended is the hadith narrated by Attab ibn Usaid رضي الله عنه that the Prophet ﷺ said about the zakat of vines: "Vines should be assessed, just as palm trees are assessed, and their zakat is given in raisins, just as zakat on palms is given in dates."<sup>5</sup> The reason behind assessment is to let the owner know the amount on which zakat is obligated and to

<sup>1</sup> However, it is valid to pay zakat on grain, or fruit, of one year out of the grain, or fruit, of the previous year provided they are of the same kind.

<sup>2</sup> One wasq is equal to sixty sa'. The sa' is a cubic measure the side of which is 14.6 cm long. Al-Rafi'i (may Allah have mercy on him) estimated the weight of five wasq of grain or fruit to be equal to 715 kg approximately.



<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 41/1390.

<sup>4</sup> i.e. Estimating the amount of dried dates that would be obtained from the dates on some palm trees or the amount of raisins that would be obtained from the grapes on some vine trees.

<sup>5</sup> Al-Tirmithi, Vol. 3, The Book of Zakat, Chapter 17/644.

safeguard the rights of the poor in zakat. Further, assessment allows the farmer to take whatever he wishes of his harvest after it has been assessed (without fear of infringing on the rights of the poor).

## The amount of zakat on grain and fruit

1. The amount of zakat on crops which have been irrigated by rain water, flood water<sup>1</sup>, or tributaries, and crops close to a source of water which have absorbed water through their roots, is **one-tenth** (10 %) because such crops do not cost much to grow.
2. The amount of zakat on crops which have been irrigated by:
  - a. A water-wheel driven by an animal, a person, or by water itself.
  - b. Pumping which is conveying water from its place to the plants by an animal, a person, or a machine.
  - c. By purchased water; is **half-of-one-tenth** (5 %) because of the high cost of growing such crops. The evidence for that is the hadith narrated by Salem ibn Abdullah from his father  that the Prophet  said: "On crops irrigated by rainwater, spring water, or flood water one-tenth is obligatory (as zakat); and on crops irrigated by well water, half-of-one-tenth is obligatory."<sup>2</sup>
3. The amount of zakat on crops which have been, for example, watered by equal amounts of rain water and water pumped by a water-wheel, is **three quarters of one tenth** (7.5 %) because the amount of zakat on the first half is half of one-tenth (5 %) and the amount on the second is half of half of one-tenth (2.5 %). Zakat is the sum of the two, i.e. (7.5 %).

**Note:** If the owner of the land secures its crops after they show signs of ripeness and after being assessed, zakat falls upon the owner not the securer because the first is the one who planted the land.

<sup>1</sup> Which results from a flood, a river, or a spring.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 54/1412.

# THE ZAKAT OF MONEY

Money includes both gold and silver, whether in coins or ingots (bars).

## Its evidence

The primary legal evidence, which is before scholarly consensus, of zakat on money is Allah's saying: "And there are those who hord up a treasure of gold and silver."<sup>1</sup> A treasure (as in the hording of riches) is one on which zakat has not been paid, however, one whose zakat has been paid is not regarded as hording a treasure.

There is no zakat on metals and precious stones, other than gold and silver, however valuable they may be, because no text has mentioned them.

## The nisab of gold and its proportion

The minimum amount of gold on which zakat is payable is twenty net *mithqal*<sup>2</sup> (85 grams) that is free from impurities. One mithqal is equal to twenty four carats which is equal to ten and one third English Sovereign, or eleven Rashadian Ottoman Lira, or thirteen Gazian Ottoman Lira.

Its evidence: Ali عليه السلام narrated that the Prophet ﷺ said: "If you have two hundred dirhams<sup>3</sup> and a term passes while they are in your possession, then (you have to give away) five dirhams. You are not obligated to give anything until you have twenty dinars. If you have twenty dinars and a term passes (while they are in your possession) then half a dinar is obligated (as zakat). Anything more than this is calculated accordingly."<sup>4</sup>

The (amount of) zakat on gold is one fourth of a tenth (2.5 %). Anything greater than the minimum amount is calculated accordingly. Zakat on gold should be given out every term<sup>5</sup> whether the gold is in the form of coins or ingots (bars).

## The nisab of silver and its proportion

The minimum amount of silver on which zakat is obligated is two hundred dirhams. Anything more is calculated accordingly. The amount of zakat on silver is one fourth

<sup>1</sup> Al-Tauba, 34.

<sup>2</sup> A small weight that was usually used for weighing coins, and is equal to 4.25 grams of pure gold according to what is mentioned in "Kitab Al-Idah Wa Al-Tibian Fi Ma'rifet Al-Mikial Wa Al-Mizan" (The book of clarification and explanation in the knowledge of measures and weights) by Ibn Al-Rif'ah, which has been scrutinised and commented on by Muhammad Isma'il Al-Kharuf. Also, one Mithqal is equal to the weight of one golden dinar.

<sup>3</sup> A dirham is a silver coin, of fixed value in Shari'a, which weighs 2.97 grams according to the above mentioned reference.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Zakat, Chapter 4/1573.

<sup>5</sup> This is unlike zakat on grain and fruit which is only taken out once even if the crops remain (stored) for years, because they are prone to rotting.

of a tenth (2.5 %). Jaber ibn Abdullah رضي الله عنه narrated that the Messenger of Allah ﷺ said: "No alms<sup>1</sup> are obligated on anything less than five oqiya<sup>2</sup> of silver<sup>3</sup>."<sup>4</sup>

Silver cannot be added to gold or vice versa to make it reach the nisab. However, one grade of the same metal can be added to another grade. Zakat is taken out of each grade according to its proportion, if possible, otherwise it can be taken out from the medium grade.

No zakat is obligated on alloyed or plated gold or silver<sup>5</sup>, unless the amount of the pure gold or silver reaches the minimum amount on which zakat is obligated. In this case, zakat can be taken out in pure gold or silver or in the degraded one provided the amount of pure gold or silver in it is sufficient for the obligation.

## Zakat on jewellery

No zakat is obligatory on permissible jewellery. Ibn Umar رضي الله عنه said: "No zakat (is obligated) on jewellery,"<sup>6</sup> because such jewellery is intended to beautify which is a permissible use. If one inherits jewellery without being aware of that until a complete term passes then zakat is obligated on them. Similarly, if a piece of jewellery breaks, and one keeps it for its value, then zakat must be paid on it. But if one keeps the broken piece with the intention of getting it fixed, then no zakat is obligatory on it no matter how long it takes to get it fixed.

Permitted jewellery is that which a woman is permitted to wear. A woman is permitted to wear all types of gold and silver, like a bracelet, an anklet, or a ring<sup>7</sup>. Also, it is permitted to wear clothes embellished with jewellery unless the amount of jewellery is too much. A man is permitted to wear a silver ring, according to the custom of his equals. He is also permitted to decorate some of his weapons, such as a sword or a spear, with silver but it is prohibited to use much of it. Zakat is obligated on prohibited jewellery such as a bracelet or an anklet for men as well as gold or silver utensils or objects hung to veils and necklaces of women and children. It is the weight of prohibited utensils that should be taken into account not their value, whereas it is the value of jewellery that should be taken into account not its weight. If the jewellery can be divided, one should take out a piece equalling a quarter of one tenth (2.5 %) and give it as zakat. Jewellery should not be broken in order to give zakat out of it, nor should a vessel, rather zakat can be paid out of some other gold.

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<sup>1</sup> i.e. Zakat.

<sup>2</sup> One oqiya equals 40 dirhams.

<sup>3</sup> The zakat of paper money (banknotes) is calculated according to its *backing*. If banknotes are backed by gold, the nisab of gold is adopted, and if they are backed by silver the nisab of silver is adopted.

<sup>4</sup> Muslim, Vol. 2, The Book of Zakat, hadith no. 6.

<sup>5</sup> i.e. That which is mixed with an inferior type of metal.

<sup>6</sup> Al-Darqutni, Vol. 2, page 109.

<sup>7</sup> No zakat is obligated on such jewellery unless its amount exceeds that which is conventionally accepted as a reasonable amount of jewellery.

## Zakat of metals excavated from mines

Zakat is obligated on ore excavated from gold or silver mines as soon as one puts his hand on it if it is greater than the nisab. However, paying zakat should be carried out after cleaning and refining. This is true as long as the excavator is one who is liable to pay zakat, i.e. a Muslim. As for non-Muslims, zakat should not be taken from them. In fact, the (Muslim) ruler should prevent them from excavating metals and taking them out of the lands of Muslims.

The amount of zakat on (precious) metals is also a quarter of one tenth for any amount greater than twenty mithqals of gold, or two hundred dirhams of silver or more. The passage of a term is not a condition of such zakat, rather it is obligated as soon as the (precious) metal is obtained, as mentioned previously.

## Zakat on treasures buried in pre-Islamic times

Zakat is obligated on any treasure buried in pre-Islamic times (*rikaz*) provided it is composed of gold or silver and its amount is greater than the nisab. However, if the treasure was buried in Islamic times, as indicated by Quranic inscriptions or the name of a Muslim ruler for example, then it should be returned to its rightful owner if one can find him, because such a treasure is the property of a Muslim, and the property of a Muslim cannot be owned by discovery. If the owner cannot be traced then it can be regarded as a lost and found article. If one finds a treasure-trove in a land which does not have an owner, or in an ownerless land which he occupied and built, then he owns that treasure-trove and he should immediately pay one fifth of it as zakat. The passage of a term is not a condition of this zakat. The evidence that zakat is obligatory on treasure-troves is the hadith narrated by Abu Hurayrah رضي الله عنه in which the Messenger of Allah ﷺ said: "... And one fifth (is obligated) on treasure-troves."<sup>1</sup>

## The conditions for obligating zakat on currency

In addition to the general conditions of zakat, the following condition is necessary for obligating zakat on currency:

The passage of a term. If one loses his ownership, of part or all the amount of currency on which zakat is obligated, during a term by selling or otherwise, the term is interrupted. If he resumes ownership, by buying or otherwise, a new term begins because the old term has been interrupted due to lack of ownership. The return of one's ownership is like a new ownership. Similarly, if one trades one kind of money for another, like trading gold with silver or vice versa, according to its conditions he should restart a new term every time he trades.<sup>2</sup>

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 65/1428.

<sup>2</sup> If one does that to escape from paying zakat, he is exempt from it, but this act is makrooh according to the Shafi'i school and forbidden according to the Hanbali school.

The passage of a term is not a condition for obligating zakat on mines and treasure-troves, as such zakat is obligatory as soon as the money is obtained as mentioned previously.

## **Conclusion**

1. If the amount of money is equal to the nisab and it increases during the term, the increase should be added to the minimum amount and zakat on the entire amount should be paid at the end of the term.
2. Zakat is obligatory on money paid by instalments to housing associations as soon as it reaches the minimum amount on which zakat is payable, because such money is regarded as savings. This zakat is obligatory every term until the house is built and designated to the owner and its final value is known. Henceforth, any further instalments are regarded as paying back of a debt.

# THE ZAKAT OF TRADE GOODS

## Definition

**Literally:** Trading means exchanging property.

**Legally:** Trading is the process of exchanging one's owned property, with the intention of trade at every transaction, for the purpose of making profit.

## The zakat of trade goods

Zakat is obligated on trade goods<sup>1</sup>. Samura ibn Jundab رضي الله عنه said: "The Messenger of Allah ﷺ used to order us to pay alms on that which we prepare for sale."<sup>2</sup> This is achieved by assessing the value of trade goods, at the end of a term,<sup>3</sup> in the kind of money it had been bought. If its value is greater than, or equal to, the nisab, zakat should be paid out. This zakat should be paid out in cash rather than in goods.<sup>4</sup> If one trades in real estate, for example, he should estimate the value of his real estate at the end of a term and pay zakat on its value. There is no significance to what is sold or bought during a term.<sup>5</sup>

The term of trade goods begins with the first negotiation of a sale accompanied with the intention to trade. Hence, the term does not begin if one intends to trade but does not negotiate, or negotiates with no intention to trade. There is no significance to the value of the goods at the beginning of a term, however large it may be. Rather, it is the value at the end of the term that matters. If the goods are exchanged for the money with which it was bought during the term and the amount of this money was greater than the nisab, the term will not be interrupted, otherwise it will. If one buys, with this money, another type of goods the term will be interrupted.

Estimating the value of trade goods can only be done in the kind of money with which they were bought. Hence, if one buys some goods with gold, he should estimate their value in gold, and if he buys them in silver he should estimate their value in silver, and if he buys them in both gold and silver he has to estimate the part bought by gold separately and the part bought by silver separately. The two cannot be added to each other, hence, if the amount of each of them is less than that on which zakat is payable, no zakat is obligated on them, even if it reaches the zakat-payable amount in another type of currency. If goods come into one's possession by exchange, (such as

<sup>1</sup> i.e. Any property intended for trade, other than money, be it liquid, an estate, or an animal.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Zakat, Chapter 2/1562.

<sup>3</sup> It is the selling market price at the time of paying zakat that matters, not the purchase price.

<sup>4</sup> In Shafii school, all kinds of zakat are paid from the property, on which zakat is payable, itself except for zakat on trade goods which is paid in money.

<sup>5</sup> There is no zakat on properties, however numerous they are, if they are used for dwelling, or rented out by the owner for profit.



exchanging them for other trade goods), payment for marriage, or indemnity for blood, it should be estimated in the common type of money of one's homeland.

The amount of zakat on goods is one quarter of the tenth (2.5 percent). Zuraiq ibn Hayan, who was in charge of the borders of Egypt at the time of Al-Walid ibn Abd Al-Malek and Sulaiman and Umar ibn Abd Al-Aziz, mentioned: "Umar ibn Abd Al-Aziz wrote to him to observe those Muslims he comes into contact with, and take one dinar out of every forty dinars out of their visible properties, which they are using for trade. Anything less, down to twenty dinars, is calculated accordingly. If they are one third of a dinar less than twenty then leave it and do not take anything out of it."<sup>1</sup>

## **The occurrence of zakat paid of the property itself with zakat on trade goods**

If the goods are also properties on which zakat should be paid of the property itself, such as zakat on livestock, only one zakat is obligatory. In this case, zakat on that whose amount is greater than the nisab is obligatory. For example, if at the end of a term one's property is thirty shats, there is no zakat on it because it is less than the minimum amount. However, if he estimates its value in the kind of money with which it was bought and this value is greater than the nisab, he should pay zakat on trade goods, which is a quarter of one tenth of the value of the shats. If the two types of zakat are due, zakat on the property itself should be paid in favour of zakat on trade goods. However, in addition to zakat on property itself one should pay zakat on the wool and milk.

## **The conditions of obligating zakat on trade goods**

1. The value of goods, at the end of the term, estimated in the kind of money with which they have been bought should be greater than or equal to the nisab.
2. Having the intention to trade at each transaction, even at the session of signing the contract, to distinguish it from possessing. If one interrupts the intention of trade, by intending to possess, during the term, then the term is interrupted.
3. Associating the intention (of trade) with the transfer of ownership.
4. Ownership should be by exchange, such as a purchase, or using trade goods as obligatory marriage gift (*mahr*), or a release payment from one's wife, or an indemnity (compensation) for blood. Hence, no zakat is obligated on anything acquired without an exchange such as a gift, an inheritance<sup>2</sup>, or a will because there is no exchange in such cases.

<sup>1</sup> Al-Muwatta, Vol. 1, The Book of Zakat, Chapter 9/20.

<sup>2</sup> Such as when one leaves trade goods to his inheritors, who are not obligated to pay zakat on them until they deal with them with the intention of trade.

5. The trade goods should not be replaced with the kind of money with which they were bought during the term, and the amount of money should not be less than the minimum amount on which zakat is payable, otherwise the term is interrupted.

## Conclusion

1. Zakat on factories. There is no zakat on machinery used in a factory.<sup>1</sup> Zakat is obligated on anything in stock, be it trade goods or sellable raw materials. For example, in a textile factory, zakat is obligated on unwoven materials and fabrics, but not on the machinery.
2. Zakat on stocks of companies. Since stocks include both the machinery and goods, the estimation of such zakat needs the determination of the ratio of each. Because of the difficulty of this, it is more cautious to pay zakat on the price of the stocks. The value of the stocks is estimated according to their market value at the end of the term.
3. Zakat on estate business. If one buys a property with the intention of trade, and pays its price by instalments, and then offers it for sale but does not manage to sell it, zakat should be paid on the entire value of the property at the end of the term. The term begins on the day the first negotiations were made, even if the sale does not go through, as previously mentioned.

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<sup>1</sup> The same applies to things in use such as one's vehicle, bus, furniture, clothes ... etc., as well as books of knowledge even if it is owned by one who is illiterate.

# THE ZAKAT OF EID AL-FITR

## Its purpose

To make up for faults that one may have committed in fasting, in a similar way that the prostration of forgetfulness makes up for faults committed in prayer. Ibn Abbas رضي الله عنه said: "The messenger of Allah ﷺ obligated the zakat of (Eid) Al-Fitr to purify the fasting person from idle talk and bad language and to feed the needy."<sup>1</sup>

## Its legal status

It is obligatory (fard), for Ibn Umar رضي الله عنه narrated: "Allah's Messenger ﷺ enjoined the payment of one sa' of dates or barley as Zakat Al-Fitr on every slave or free Muslim, male or female."<sup>2</sup> In another hadith, Ibn Umar رضي الله عنه said: "Allah's Messenger ﷺ enjoined the payment of one sa' of dates or barley as Zakat Al-Fitr on every young or old, free or slave (Muslim)."<sup>3</sup>

## Conditions that obligate Zakat Al-Fitr

1. Islam. Zakat Al-Fitr is not obligated on a non-believer. As for an apostate, Zakat Al-Fitr is obligated on him if and when he reverts back to Islam, otherwise it is not. The same is true for Zakat Al-Fitr of those whom an apostate is obliged to sustain. A non-Muslim is obligated to pay the Zakat Al-Fitr of his Muslim relative in the same way he is obligated to sustain him.
2. Witnessing part of Ramadan and part of Shawwal.<sup>4</sup> If someone dies after sunset of the night before Eid, Zakat Al-Fitr should be paid out on his behalf, but this is not true if he dies before sunset. If a child is born to someone before sunset of the day before Eid, he is obligated to pay Zakat Al-Fitr for this child, but not if the child is born after sunset.
3. Having money in excess of what one needs to sustain oneself and those whom one is obligated to sustain throughout the night before Eid and on Eid day itself. Sustenance includes food, housing, a servant that one needs, clothes, a dress, a shirt, trousers, a suitable headcover, and extra things one might need for warmth or presentability, and other matters suitable for one of his, and his dependants, standing. One is not obligated to sell what he has prepared for Eid such as cakes, sweets, fish or grain. It is not a condition for Zakat Al-Fitr to be in excess of one's debts. If one is too poor at the time Zakat Al-Fitr is due, he does not have to pay it

<sup>1</sup> Abu Dawood, Vol. 2, The Book of Zakat, Chapter 17/1609.

<sup>2</sup> Al-Bukhari, The Book of Zakat Al-Fitr, Chapter 2/1433.

<sup>3</sup> Al-Bukhari, The Book of Zakat Al-Fitr, Chapter 9/1441.

<sup>4</sup> i.e. Witnessing sunset of the night before Eid.

even if he gets the means to afterwards. If a husband is poor, he does not have to pay Zakat Al-Fitr for himself nor for his wife even if she is wealthy.

## Who should pay Zakat Al-Fitr

Zakat Al-Fitr is obligated on the person himself, and on every Muslim<sup>1</sup> person whom he is obligated to sustain. A well known rule of fiqh is that whomever one is obligated to sustain is one must also Zakat Al-Fitr for. An exception of this rule is a step-son who does not have to pay Zakat Al-Fitr for his step-mother, if his father is unable to pay, even though he is obligated to sustain her when the father is poor. Because sustenance is obligatory on the father despite financial difficulties, hence his son must bear it, whereas Zakat Al-Fitr is not obligatory on the father if he has financial difficulties and therefore his son does not have to bear it on his behalf.

A father is not obligated to pay Zakat Al-Fitr on behalf of his grown up son, nor that of a stranger, in fact it is not permissible to pay it out on their behalf without their permission.

## The amount of Zakat Al-Fitr

The amount of Zakat Al-Fitr is one sa' of the most common type of food in one's homeland, if he is paying zakat for himself, or of the most common type of food of the homeland of the person on whose behalf zakat is being paid (if one is paying zakat on behalf of someone else). The most common type of food may be wheat, barley, or maize. It is not permitted to pay zakat with an inferior type of food but a superior<sup>2</sup> type, even if it is not common, will do instead of the inferior one. The ranking of foods, from top to bottom, is as follows: Wheat, rye, barley, maize, rice, chickpeas, lentils, broad beans, dates, raisins, milk, and cheese. The most common type of food is the one that is common throughout the year not just at the time zakat is due.

If one does not have enough to cover zakat on everyone he is obligated to sustain, he should pay zakat on himself, then on his wife, then his young children, then his male elders, then his female elders. If one has part of a sa' in excess of his needs, he should give it away as zakat in order not to miss an obligation. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "If I order you to do something, then do as much of it as you are able to."<sup>3</sup> Also, a well known rule of fiqh is that: "What is possible is not to be left on account of what is impossible." If one is unable to give but half, or even a quarter of a sa', he should give it.<sup>4</sup>

<sup>1</sup> It is a condition that the one on whose behalf Zakat Al-Fitr is paid should be Muslim even if the payer is not.

<sup>2</sup> The criterion in ranking food is the amount of nourishment in it.

<sup>3</sup> Al-Bukhari, Vol.6, The Book of Adhering to The Book (The Quran) and Sunna, Chapter 3/6858.

<sup>4</sup> According to Hanafi scholars, it is permissible to give the value of one sa' in money, which is more useful to the poor, hence, we can follow the Hanafi ruling in this case.

## The time of Zakat Al-Fitr

It is permissible to pay Zakat Al-Fitr at the beginning of Ramadan<sup>1</sup>, but it is sunna to pay it before Eid prayer following the example of the Prophet ﷺ, and to spare the needy asking for food on the Eid day. It is makrooh to delay it until the end of the Eid day, and it is forbidden to delay it beyond the Eid day without an excuse<sup>2</sup>, though one is still obligated to pay it.

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<sup>1</sup> Provided the taker is still deserving at the time it is due and the time it is paid, and provided the taker exists in the homeland of the giver at the time it is due.

<sup>2</sup> The only acceptable excuse in this case is lack of money or the absence of those who deserve zakat.

# PAYING ZAKAT

## Who pays zakat

Zakat is paid by the owner of a property in person, or by his authorized agent,<sup>1</sup> or is collected from zakat payers by the Muslim ruler (imam) or his representative and then distributed. When the Muslim ruler, even if unjust, asks for zakat on a visible property such as livestock, grain and fruit, or metals, it should be given to him. However, the imam cannot ask for zakat on a hidden property such as money or buried treasure. Zakat Al-Fitr is also considered a hidden property.

An active intention is obligatory when zakat is paid by the owner, or by the imam with the permission of the payer of zakat. The intention is achieved by intending something to the meaning of: "This is my zakat, or the obligation of charity on my property." If the owner has loaned someone some money, and says to him (post fact): "I regard what you owe me as (part of) my zakat," or says to himself: "I intend this money as zakat on my money," then this does not count. If the debtor asks the debtee to give him his zakat in order to pay it back to him in payment of his debt, and he does, then it counts.<sup>2</sup> If someone entrusts another person with money, and the latter returns it to him, then it is valid to give it to him as zakat. It is sunna to pay zakat willingly and agreeably.

A wife cannot pay the zakat her husband refuses to pay out of her own money, which she obtained from him because it is necessary for the owner or his agent to make the intention. The same is true for a daughter who wishes to pay zakat on her father's property or a sister on her brother's. A woman cannot pay zakat out of property, that belongs to her husband (or brother) for example, with which she is entrusted unless she has permission to do so. Abdullah ibn Amr رضي الله عنه said: "When the Messenger of Allah ﷺ conquered Mecca he stood up to address the people and he said in his speech: 'No woman can give away anything without her husband's permission.'"<sup>3</sup> However, if a woman is entrusted with this property, and she knows her husband would not mind if she paid zakat out of his money, she may pay it. Aisha رضي الله عنها said: "The Prophet ﷺ said: 'If a woman gives away some food (as a charity) from her husband's house, with no intention of harm, she will be rewarded, and her husband will be rewarded and the trustee will be rewarded as well. He (the husband) for what he earned and she for what she spent.'"<sup>4</sup>

<sup>1</sup> Though, paying it in person is better than getting it distributed by an agent.

<sup>2</sup> Zakat is valid though the condition is void, because the borrower is free to do whatever he likes with the zakat he receives, i.e. he could use it to pay back (part of) his debts or spend it the way he likes.

<sup>3</sup> Al-Nasa'i, Vol. 5, page 65. (That is of her husband's possessions. Of course this does not apply to what is hers).

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 25/1372.

## The time of paying zakat

It is permissible to pay zakat in the midst of the term, before it is complete, provided the owner remains liable to the obligation of zakat until the end of the term, and that the receiver of zakat is still deserving at the end of the term, otherwise, zakat in the middle of the term does not count.<sup>1</sup>

It is forbidden for the owner to transfer zakat from the place in which it is obligated, if there are people deserving of zakat in it, to a place farther than the distance of shortening the prayer (81 km), even if that is with the intention of giving it to a relative. However, one may save it until that relative comes to his homeland. The Muslim ruler (imam) is not forbidden to transfer zakat.

## Deserving recipients of zakat

Zakat should be paid to the existing among eight categories of people mentioned in Allah's saying: "Charity is for the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to truth); for those in bondage and in debt, in the cause of Allah; and for the wayfarer."<sup>2</sup> It is agreed upon that zakat should not be paid other than to those mentioned in the ayah. However, scholars differed as to its distribution among the categories. According to Shafi'i scholars, zakat should be paid to at least three persons from each and every category, except the one employed to administer it who may be one person if that is sufficient. However, this is difficult to achieve, hence some Shafi'i scholars had permitted paying it to one person only, and there is no reason not to follow this opinion today. Some scholars said: "Had Al-Shafi'i been alive, he would have given such *fatwa* (legal opinion)."<sup>3</sup>

1. The poor: Someone who does not have any wealth at all and is unable to earn his living by a suitable (halal) occupation for him; or what he has or is able to earn is insufficient to sustain him as it is less than half of his sufficiency. Sufficiency means having enough to sustain him to the end of his life expectancy, which is 62 years.<sup>4</sup> If someone meeting the above mentioned qualifications has the nisab or more, he has to pay the zakat due upon him despite being entitled to receive zakat from others.

One's needs include food, housing, clothing, and whatever one (and those he must support) cannot do without, to a degree suitable for someone of his standing without extravagance or stint. As well as those things considered nowadays to be

<sup>1</sup> In this case, the giver can take back his zakat if the receiver knew that it is a *hastened zakat*, otherwise the giver must pay zakat again.

<sup>2</sup> Al-Tawba, 60.

<sup>3</sup> According to Hanafi scholars, it is permissible to pay zakat to one category or to one person. According to Malek and Ibn Hanbal, it is permissible to pay zakat to three poor or needy persons.

<sup>4</sup> He distributes what he has, if he does not aim to use it in trade, over the probable amount of remaining time. If it is less than half of what he needs then he is poor, e. g if he requires ten liras a day but the amount he has when divided by the time left in his probable life expectancy is four liras a day, which is less than half of his needs, then he is poor.

essential such as a refrigerator, a washing machine, and modern cooking tools. Radio and television are not considered essential needs.

2. Those short of money: Someone who has some property or a source of income, or both, which only covers fifty to ninety percent of his needs. In this way, one who is short of money is better off than the poor. A person is not considered poor or short of money if a relative, such as a husband, is responsible for one's sustenance. One is considered short of money even if he owns a house, a maid, some clothes (even if the clothes are intended for beautifying rather than just covering), some needed books, assets that are two stages or more away (and thus cannot be acquired easily), or a deferred payment. In all these cases, one is given zakat if he cannot find anyone to lend him money that would suffice until he receives his distant assets or the time for payment is due. A woman can still be described as poor or short of money even if she owns some jewellery which she uses for adornment according to popular custom.

One who is poor or short of money is given of zakat enough money to get out of need permanently. The price of a machine that can be worked to earn a living, for example, may be given to one who is able to work. According to the opinion of most scholars, however, if one is unable to work then an amount of money that would cover one's needs throughout a whole year should be given.

3. Those who collect zakat: Anyone used by the ruler to collect zakat such as the *collector*, the *clerk*<sup>1</sup>, the *divider*<sup>2</sup>, and the *assembler*<sup>3</sup> but not the judge or the ruler. Such a worker should be knowledgeable in fiqh and the rulings of zakat. Zakat should be given to those who work on collecting it as a salary, even if they are rich, equivalent to the salary of their equals, unless they already have a prescribed salary in which case they should **not** be given from the money of zakat.
4. Those whose hearts are to be reconciled: These are four groups, all of which are Muslim.<sup>4</sup>
  - a. Recent converts to Islam whose belief is still not strong. Such a person is given from zakat to increase his certainty.
  - b. The chief personages and nobility of people who embrace Islam and it is expected that giving them zakat will encourage others to embrace Islam. Such a person is given zakat even if his certainty is strong.
  - c. A Muslim with strong belief, who is expected, when given from zakat, to protect the Muslims from the evil of specific non-believers whom are within his influence.
  - d. A Muslim who would protect the Muslims from evil of those who refuse to pay zakat.

<sup>1</sup> The person who writes down how much each owner has given as zakat.

<sup>2</sup> The person who divides zakat money amongst the recipients.

<sup>3</sup> The person who gathers the recipients (in order to distribute zakat on them).

<sup>4</sup> As for those non-believers whose hearts are to be reconciled, i.e. those it is hoped will embrace Islam or those feared because of their evil, they should **not** be given from zakat.



5. **Slaves-in-contract:** Slaves who are purchasing their freedom from their owners by instalments. Such people are given what suffices them to free themselves if they do not have enough money to pay off the instalments. Those who are purchasing themselves from the giver of zakat should not be given from his zakat because this will return in benefit to him because the recipient is owned by him.
6. **Those in debt:**
  - a. A person who incurred a debt to settle trouble between two parties, as when there has been a killing but it is not known who the killer is. The debt of this person can be paid back from the share of those in debt whether or not he is rich.<sup>1</sup> The same is true for one who borrows money for a public interest, such as building a mosque.
  - b. A person who incurred a debt to support himself or his dependants<sup>2</sup>, and he spent it on permissible things, or on a sinful deed from which he has repented.<sup>3</sup>
  - c. A person who incurred a debt because he, with the permission of the guarantee became a guarantor, though both he and the guarantee were in difficult straits. If he volunteered to guarantee a person without the latter's permission, then the guarantor can be given from zakat if he is short of money even if the guarantee is not. A person in debt should be given from zakat as much as is necessary to cover his debt.
7. **Those fighting for Allah ﷻ:** Males who volunteer to fight in jihad (for the sake of Allah) and who do not have a share in the funds for jihad in a Muslim state. These should be given from zakat even if they are rich, in order to help them fight for the sake of Allah ﷻ. One must give back what he has received if he does not go to jihad and also what is left over after returning from jihad.
8. **Travellers who need money (to get to their homelands):** One who wants to travel from a land where zakat is being distributed, or is passing through it. Such a person is given from zakat as much as necessary to get him to his homeland or his property provided he is short of money at that time and that his journey was not undertaken for the purpose of disobeying Allah ﷻ. One who is travelling aimlessly should not be given from zakat either.

## **The five categories of people who cannot receive zakat**

1. One who has money, or a source of income, that is sufficient for his needs.
2. A slave, other than a slave-in-contract, because the slave is considered as wealthy as his master<sup>4</sup>.

<sup>1</sup> Such a person is only given from zakat when he is still in debt.

<sup>2</sup> Even if he borrowed the money with interest.

<sup>3</sup> However, if he did not become repentant, he should **not** be given from the share of those in debt.

<sup>4</sup> This does not apply to maids and servants.

3. The Bani Hashim and Bani Muttalib clans of Quraysh and their freed slaves. Abdul-Muttaleb ibn Rabi'a ibn Al-Hareth ؓ narrated that the Prophet ﷺ said: "These alms (charities) are the impurities of people, and are not permitted to Muhammad nor to his relatives."<sup>1</sup> Also, Ibn Abbas ؓ narrated that the Messenger of Allah ﷺ said to his two cousins: "You are not permitted, Oh members of my family (*Aal Al-Bait*), to take any alms, or (metaphorically) that which is rinsed off people's hands, there is enough for you in the fifth of the fifth."<sup>2</sup> It is also not permitted to give zakat to the freed slaves of members of the house, for Anas ibn Malek ؓ narrated that the Prophet ﷺ said: "The freed slave of a family is a member of them."<sup>3</sup>

However, the aforementioned group can receive voluntary charity because they are only forbidden to accept obligatory alms (zakat). The Prophet ﷺ did not receive obligatory nor voluntary alms, because they are not worthy of his noble status.

4. A non-Muslim. Ibn Abbas ؓ narrated that the Messenger of Allah ﷺ said to Mu'ath ibn Jabal ؓ when he sent him to Yemen: "And do tell them that Allah has obligated upon them a charity which will be taken from their rich and be given to their poor."<sup>4</sup> The poor here means the poor of the Muslims, hence, non-Muslims have no right to it<sup>5</sup>.
5. Those whom the payer of zakat is obligated to sustain. One cannot pay zakat to his dependants if they are poor or short of money, but one can give them zakat if they are fighters for the sake of Allah, employed in the collection of zakat, in debt, or one of those whose hearts are to be reconciled.

It is permitted for a father to give his zakat to his adult son if the latter is poor or short of money because the father is not obligated to sustain him. However, if the son is unable to earn his living, then he is not permitted to take from his father's zakat because the father is obligated in this case to sustain both him and his children and the son will be considered rich through dependency.

A father is obligated to sustain his daughter as long as she is in his household and does not have a source of income that suffices her. If she marries, or finds an appropriate job, he is no longer obligated to sustain her. Therefore, he can give his zakat to her husband if the latter is poor or short of money. Also, the father can deputize her to pay it if she is trustworthy.

A woman can give the zakat on her assets to her husband if he is poor or short of money, even if he spends that money on her. However, giving him zakat to make him more comfortable financially is not valid. The evidence that a woman can give zakat to her husband is the hadith narrated by Abu Sa'id Al-Khadari ؓ: "Zainab, the wife of

<sup>1</sup> Muslim, Vol. 2, The Book of Zakat, Chapter 51/168.

<sup>2</sup> Narrated by Al-Tabarani in *Al-Kabeer*, *Majma' Al-Zawa'id* (The Collection of Supplements), Vol. 3, page 91.

<sup>3</sup> Al-Bukhari, Vol. 6, The Book of Obligations, Chapter 23/6380.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 62/1425.

<sup>5</sup> The same is true for *People of the Book*. Yet, both non-believers and People of the Book can be given from voluntary alms.

Ibn Mas'oud, came and asked permission to enter to see Allah's Messenger ﷺ. It was said: 'O Allah's Messenger! Here is Zainab.' He asked: 'Which Zainab?' They replied: 'The wife of Ibn Mas'oud.' He said: 'Yes, let her in.' She was admitted. She said: 'O Prophet of Allah! Today you ordered people to give charity, and I have some jewellery I had intended to give as charity, but Ibn Mas'oud claimed that he and his children deserve it more than others.' The Prophet ﷺ replied: 'Ibn Mas'oud had spoken the truth. Your husband and your children are more deserving to receive your charity than anyone else.'"<sup>1</sup>

It is permissible to give zakat to a sick woman to spend it on her treatment, even if she has a well-to-do husband who does not support her.

It is permissible for a sister to give her zakat to her grown brother, who has a source of income that suffices him, but does not have enough money to get married, even if he does not marry as soon as he receives that money.

It is permissible to give zakat to a woman raising a poor child in order to spend it on that child, even if the child is her sibling provided the child does not have well-off relatives who are obligated to provide sustenance. The same is true for a foundling who does not have money of his/her own even if the woman raising him/her is not poor.

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<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 62/1425.

# VOLUNTARY CHARITY

## Its legal status

Giving voluntary charity is sunna, and in places afflicted with drought and famine it becomes a confirmed sunna for water and milking goats<sup>1</sup>. It is to give away in charity anything that is in excess of one's needs, provided one can bear the results. Abu Sa'id Al-Khadari رضي الله عنه said: "The Messenger of Allah ﷺ said: 'If any of you has an extra riding animal, let him give it to one who does not, and if any of you has extra food, let him give it to one who does not.' Until we thought that we had no right in possessing anything that is extra."<sup>2</sup>

It is makrooh for one to get back his charity from he whom he donated it to by means of purchase.<sup>3</sup>

It is forbidden to give away in charity what one needs to sustain oneself and his dependants for that particular day and night with, or what one needs to pay back a debt with.

Asking for money is forbidden for anyone who is self-sufficient by wealth or by income, for Sahl ibn Al-Hanzalia رضي الله عنه said: "The Messenger of Allah ﷺ said: 'Whoever asks for money while he has what suffices him, he is demanding the embers of Hell.' It was said: 'O Messenger of Allah, what is sufficient for one?' He said: 'As much as is necessary for his lunch or dinner.'"<sup>4</sup>

## Its evidence

Allah ﷻ says: "Then shall anyone who has done an atom's weight of good, see it."<sup>5</sup>

Udai ibn Hatem رضي الله عنه said: "I heard the Messenger of Allah ﷺ saying: 'Protect yourselves from Hell-fire even if with half a date (in charity).'"<sup>6</sup>

## Sunnas for one who gives charity

1. To give away that which one loves. Allah says: "By no means shall you attain righteousness unless you give of that which you love."<sup>7</sup>
2. To give willingly and cheerfully.
3. To increase one's charity at special times<sup>8</sup> and special places<sup>1</sup>.

<sup>1</sup> A milker goat lent by one to his neighbour to make use of her milk, so long as it has milk.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Zakat, Chapter 32/1663.

<sup>3</sup> Such as donating an amount of wheat then asking the one who took the charity to sell him the wheat he was given.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Zakat, Chapter 23/1629.

<sup>5</sup> Al-Zalzala, 7.

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Zakat, Chapter 9/1351.

<sup>7</sup> Aal Umran, 92.

<sup>8</sup> i.e The month of Ramadan, Friday, and the time of hajj.

4. To give much charity when important matters take place, such as an eclipse, an invasion, or illness. Ali عليه السلام narrated that the Messenger of Allah ﷺ said: "Give charity early in the morning for adversity does not go beyond it."<sup>2</sup> Umm Salama عليها السلام narrated that the Messenger of Allah ﷺ said: "Good deeds protect from destructive afflictions."<sup>3</sup>

It is forbidden to remind the recipient of your charity, and it cancels the reward, for Allah ﷻ says: "O you who believe, cancel not your charity by reminders of your generosity or by injury, like those who spend their substance to be seen of men..."<sup>4</sup>

## **Who should charity be given to (in order of preference)**

To the husband, then the next of kin,<sup>5</sup> then the relatives one can marry,<sup>6</sup> then relatives by breast-feeding, then in-laws, then freed slaves, then neighbours. It is permitted to give charity to the enemy and to the poor who were once rich.

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<sup>1</sup> These are, in order of importance: Mecca, Medina (Yathreb), and Al-Aqsa Mosque.

<sup>2</sup> Narrated by Al-Tabarani in Al-Ousat (The Middle), Majm'a Al-Zawa'ed (The Collection of Supplements), Vol. 3, page 110.

<sup>3</sup> Narrated by Al-Tabarani in Al-Ousat (The Middle), Majm'a Al-Zawa'ed (The Collection of Supplements), Vol. 3, page 115.

<sup>4</sup> Al-Baqara, 264.

<sup>5</sup> i.e. Un-marriageable kin.

<sup>6</sup> i.e. Marriageable kin.



**PART SIX**  
**THE BOOK OF HAJJ**  
**(PILGRIMAGE)**





# THE MEANING OF HAJJ AND UMRA, THEIR CONDITIONS, AND DELEGATION

## The meaning of hajj (pilgrimage)

**Literally:** Going to a sacred place.

**Legally:** To set out for the *Ka'ba* in order to perform specific rites of worship.

## Its legal status

Hajj is one of the pillars of Islam, and an individual obligation on whoever is able. One who denies that hajj is obligatory becomes an unbeliever (*kafir*) unless he is a new convert to Islam or has been raised in a desert away from scholars. Hajj is a physical and financial act of worship.

## The evidence that hajj is obligatory

The evidence that performing hajj is obligatory can be found in the Quran, the sunna, and scholarly consensus.

From the Quran: Allah ﷻ says: "People owe Allah to make pilgrimage to the House, whoever is able to find a way, but if any denies faith Allah is not in need of any of his creatures."<sup>1</sup>

From the sunna: The hadith narrated by Ibn Umar ؓ that the Messenger of Allah ﷺ said: "Islam is built upon five: Testifying there is no god but Allah and that Muhammad is the Messenger of Allah, performing the prayer, giving zakat, performing hajj, and fasting Ramadan."<sup>2</sup>

In Shari'a, hajj is not obligatory more than once in one's lifetime. Abu Hurayrah ؓ said: "The Messenger of Allah ﷺ addressed us and said: 'O people, Allah made hajj obligatory for you so perform hajj.' A man said: 'O Prophet of Allah, every year?' He (the Prophet) did not answer, until the man repeated the question three times. The Prophet ﷺ said: 'If I say yes, it will become obligatory, and you will not be able to fulfill it.'"<sup>3</sup> Also, the Prophet ﷺ did not perform hajj after it became obligatory except once, the *farewell hajj*.

Scholarly consensus from the time of the companions of the Prophet ﷺ until our day has concluded that hajj is a solid obligation on every able person, once in a lifetime.

<sup>1</sup> Aal Imran, 97.

<sup>2</sup> Al-Bukhari, Vol. 1, The Book of Faith, Chapter 1/8.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 73/412.

# The meaning of umra

**Literally:** To visit.

**Legally:** To visit the Holy House (Ka'ba) in order to perform specific rites.

## Its legal status

Umra is an individual obligation on every able person. The evidence of it being obligatory is what Allah ﷻ says: "And complete hajj and umra for Allah,"<sup>1</sup> and what is narrated by Aisha ؓ who said: "I said: 'O Messenger of Allah, is jihad obligated upon women?' He said: 'Yes, a jihad with no combat: hajj and umra.'"<sup>2</sup>

Umra is obligatory only once in a lifetime. Jaber ؓ narrated: "That Suraqah ibn Ja'sham ؓ asked the Prophet ﷺ about umra and said: 'O Messenger of Allah, only this year, or forever?' The Messenger of Allah ﷺ clasped his fingers, and said: 'Umra is linked with hajj - he said it twice- truly for ever and ever.'"<sup>3</sup>

Timewise, performing hajj and umra is a *relaxed obligation*, unless one fears illness, for Allah ﷻ says: "People owe Allah to make pilgrimage to the House, whoever is able to find a way."<sup>4</sup> This order is absolute with respect to time, hence it should not be restricted to a time without evidence, and there is no such evidence. But if one delays obligatory hajj after being able to perform it, and dies before performing it, then he dies as a disobedient person, and hajj must be performed on his behalf from his inheritance.

## Conditions for hajj and umra

### The conditions for validity in general

The only condition is Islam. Hence, hajj and umra are not accepted from a disbeliever or an apostate (*murtadd*)<sup>5</sup>, as they are not qualified for worship. A parent or guardian can make ihram on behalf of a Muslim child who has not reached the age of discrimination and perform the acts for him. Ibn Abbas ؓ narrated: "That a woman held up a boy and said to the Prophet ﷺ: 'O Messenger of Allah, does his hajj count?' He said: 'Yes, and you are rewarded (as well).'"<sup>6</sup>

### The conditions for validity if performed in person

These are two conditions, i.e. Islam and reaching the age of discretion. Hence, it is accepted if performed by a child and he is rewarded for it, but it does not exempt him from the *obligatory hajj of Islam*. A discriminating child can perform ihram<sup>7</sup> with his guardian's consent and can perform the acts himself. It is also valid for the guardian to make ihram on his behalf by saying: "I intend ihram for hajj /umra on behalf of this

<sup>1</sup> Al-Baqara, 196.

<sup>2</sup> Ibn Maja, Vol. 2, The Book of Rites, Chapter 8/2901.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>4</sup> Al-Imran, 97.

<sup>5</sup> Murtadd (apostate) is one who deserts Islam.

<sup>6</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 72/410.

<sup>7</sup> Ihram: Entering a state of devotion with the intention of hajj or umra.

person" [122], or "I enter him into the state of ihram for hajj/umra." [123] When he enters into the state of ihram, the guardian forbids him from doing the things prohibited while in a state of ihram, and takes him to the various places of rites of hajj, and this is obligatory when attending (these places) is obligatory, and recommended when attending is recommended.

## **The conditions for it to count as the obligatory hajj of Islam**

These are: Islam, sanity, and reaching the age of puberty.

## **The conditions for its obligation**

1. **Islam.** Hajj and umra are not obligatory on a disbeliever. Ability during the time when one is an unbeliever does not count, and he is not held accountable for hajj. His situation is only considered after he becomes a Muslim, i.e. if he is able to perform hajj then it is obligatory, otherwise it is not. Amr ibn Al-Aass ؓ narrated that the Prophet ﷺ said: "Did you not know that Islam demolishes what was before it?"<sup>1</sup>

An apostate must be requested to perform, by saying to him: "Become a Muslim then perform hajj." If he had the ability to perform hajj before or during apostacy then he returned to Islam and he lost this ability, he is held accountable for it because he was previously able to perform hajj. If he dies after returning to Islam without performing hajj then it should be performed on his behalf from his inheritance, but if he dies as an apostate then hajj should not be performed on his behalf.

2. **Sanity.** Hajj is not obligatory on an insane person. Ali ؓ narrated that the Messenger of Allah ﷺ said: "The pen (accountability) has been lifted from three: The sleeper until he awakens, the child until his first wet dream, and the insane (person) until he can reason."<sup>2</sup>
3. **Puberty.** Hajj is not obligatory on a child, but if he does perform hajj, he gets the reward of non-obligatory (nafl) hajj. If the child reaches puberty while performing hajj or umra, before or during the standing of Arafah, then his hajj counts but he should re-perform sa'i<sup>3</sup> if he performed it after the *arrival tawaf*.
4. **Ability.** Allah ﷻ says: "People owe Allah to make pilgrimage to the House, whoever is able to find a way," which means having the ability to perform this obligation.

There are two types of ability: Ability to perform hajj in person, and ability to perform hajj by sending another:

- a. **Ability to perform hajj in person.** There are five conditions which are common to men and women, and two which are exclusive to women. The five general ones are:

<sup>1</sup> Muslim, Vol. 1, The Book of Faith, Chapter 54/192

<sup>2</sup> Al-Tirmithi, Vol. 4, The Book of Penalties, Chapter 1/1423.

<sup>3</sup> Sa'i: To go back and forth between the hills of Safa and Marwa (in Mecca) in hajj or umra.

1. Having the provisions and the expense for the trip to Mecca and back. It is makrooh for one, who does not have provisions, to perform hajj depending on asking and begging people. Al-Shafi'i, said that one is obligated to perform hajj if the provisions and transportation are provided to him by someone else who will not remind him of this favor, such as a father providing provision and transportation for his son. Also, one should be able to find the containers, if needed, to carry the provisions from his country. A person who lives close to Mecca may not need that. One should be able to find water and provisions, at the places people usually buy from, at the going price. If one cannot find water at all, or if he finds it at more than the going price, then one is not obligated to perform hajj. Also, one should be able to find fodder<sup>1</sup> for his riding animal at every stage of the journey.
  2. Having a suitable means of transport. This is always true with respect to women, but it is not necessarily true with respect to men unless the journey is long (i.e. if the distance between his town and Mecca is two *stages*<sup>2</sup> or more, even if he is able to walk). It is not a condition to have means of transport, such as an animal, if the journey is less than two stages and one is able to walk. The evidence for the above is that the Prophet ﷺ interpreted the word "way" in the verse "whoever is able to find a way" as the ability to find provisions and the means of transport. Anas رضي الله عنه narrated: "It was said: 'O Messenger of Allah what does 'way' mean?' He said: 'Food and transportation.'"<sup>3</sup>
- It is a condition that all the above mentioned provisions, containers, and means of transport are not needed to pay back one's debts, whether the debt owed is to a person or to Allah, such as zakat and/or penance (kaffara). It is also a condition that they be in excess of what one requires to support people that are his responsibility, such as his wife, offspring, and parents (or grand/great parents), while one is staying in Al-Hijaz and travelling there and back. Also, they should be in excess of what one requires to secure suitable accommodations for himself. Abdullah ibn Amr رضي الله عنه narrated that the Messenger of Allah ﷺ said: "There is no sin beyond that of a man neglecting those he provides for."<sup>4</sup>
3. The routes must be safe, at the time people go to hajj, and free from predators and enemies. If there is danger to one's life or money then hajj is not obligatory for him.

<sup>1</sup> Or fuel for the means of transport nowadays.

<sup>2</sup> A *stage* is a distance of 41 kilometers.

<sup>3</sup> Al-Mustadrak, Vol. 1, page 442.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Zakat, Chapter 45/1692.

4. Bodily health. Hajj is not demanded from one sick, chronically ill, paralyzed, or so old that he cannot ride by himself, even if one meets all other conditions of hajj. If someone is blind, hajj is not obligatory for him unless he is accompanied by a guide, because a blind person without a guide is just like a chronically ill person, and with a guide he becomes like one who can see.
5. The ability to set off for hajj in time to perform hajj. Therefore, if there is not enough time to travel for hajj, then hajj is not obligatory.

As for the two conditions that are exclusive to women, these are:

1. A woman must be accompanied either by her husband, or by a mahram, or by two or more trustworthy women whom she feels safe with, because danger is eliminated when they are in a group.

However, if hajj is non-obligatory (nafl) then having a husband or a mahram is a must, even if neither is trustworthy so long they are chivalrous.

A woman should not perform hajj, be it obligatory or not, without her husband's consent. If he prevents her from performing it then she must not leave for it. If a woman delays the obligatory hajj because of her husband's prevention, and she dies, hajj should be performed on her behalf from her inheritance, and she is not considered disobedient, unless she was able to perform hajj before marriage.

2. A woman should not be in idda because of divorce or the death of her husband, during the time when it is still possible to travel for hajj, for Allah ﷻ said of such women: "Don't turn them (women) out of their houses, nor shall they themselves leave."<sup>1</sup>

b. The ability to perform hajj by sending another. This can be achieved by two means: by one's money or by one who obeys him:

1. If one cannot perform hajj in person because of a chronic disease, old age, or an incurable disabling illness, and has enough money to pay someone else to perform hajj on his behalf, then hajj is obligatory on him, because he can perform it by sending someone else.
2. If one cannot perform hajj in person and has no money, but has an obedient son who is able to perform hajj himself, then hajj is obligatory on the father and he must order his son to perform hajj on his behalf. If the son has no money then he (the father) is not held accountable. Abu Razeen Al-Uqayli ؓ narrated: "That he came to the Prophet ﷺ and said: 'O Messenger of Allah, my father is an old man who cannot perform hajj or umra, nor can he ride.' He said: 'Make hajj and umra on behalf of your father.'"<sup>2</sup>

<sup>1</sup> Al-Talaq, 1.

<sup>2</sup> Ibn Maja, Vol. 2, The Book of Rites, Chapter 10/ 2906.

## Sequel

1. If someone has a house larger than his needs, so that if he sells the excess part the money would cover the expenses of hajj, then hajj is obligatory on him.
2. If someone has goods intended for trade, then he should spend the price of these goods for the expenses of hajj, even if no capital is left for him to trade with. Some Shafi'i scholars say that it is not obligatory on one to spend his capital for hajj, yet the first opinion is stronger.
3. A person who has provisions for hajj and wants to marry has two options:
  - a. If his desire is moderate, then hajj is obligatory on him, and he is held accountable for it, but he can spend the money on marriage, though hajj remains a liability for him.
  - b. If his desire is great and he fears committing adultery, then he must marry before performing hajj by scholarly consensus.

## Sending a delegate to hajj

### Its legal status

It is obligatory on the inheritors of one who had satisfied all the conditions of the obligation of hajj during his lifetime but did not perform it. They are obligated to perform hajj on his behalf from his inheritance, before distributing it even if he did not ask for that in his will. This act of hajj stands for the obligatory hajj of the deceased. If the inheritors do not perform hajj on his behalf they inherit ill-gotten (haram) money and they will be held accountable for his obligatory hajj even if he did not ask for it in his will.

If someone does not have any inheritance then it is sunna for his guardian or inheritor to perform hajj on his behalf from his own money. Also, a stranger may perform hajj on behalf of a deceased<sup>1</sup>, just like he can pay off someone else's debts. Ibn Abbas رضي الله عنه narrated: "That a woman from (the tribe of) Juhaynah came to the Prophet ﷺ and said: 'My mother vowed to perform hajj, but passed away before performing it. Shall I perform hajj on her behalf?' He ﷺ said: 'Yes, perform hajj on her behalf. Had there been a debt on your mother, would you have paid it or not? Pay Allah's debt as He has more right to be paid.'"<sup>2</sup>

As for delegating in non-obligatory (nafl) hajj, there are two opinions. The first is that it is not valid unless the deceased asks for it in his will. The second opinion is that it is valid even if the deceased did not ask for it in his will. The second is the strongest opinion.

Hajj by delegating is obligatory on one who is unable to perform hajj in person, because of old age or an incurable chronic disease, but is able to by delegating with his money or a person who obeys him as mentioned above. If the distance between one's

<sup>1</sup> Even without the consent of the deceased or his guardian's consent.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Ihssar (Prevention) and the Penalty of Hunting, Chapter 33/1754.

town and Mecca is less than the distance of shortening prayer (about 82 km.), then one must perform hajj in person and cannot delegate his responsibility- unless he is so ill that he cannot move.

### Conditions of the delegate

He should be qualified to perform hajj, Muslim, over the age of puberty, sane, trustworthy, and one who has performed his own obligatory hajj of Islam. Ibn Abbas رضي الله عنه narrated that: "The Prophet ﷺ heard a man saying: 'Labbayk<sup>1</sup> on behalf of Shibrimah.' He ﷺ said: 'Who is Shibrimah?' He said: 'He is my brother,' or he said: 'A relative of mine.' He said: 'Did you perform hajj for yourself?' He said: 'No.' He said: 'Perform hajj for yourself then on behalf of Shibrimah.'"<sup>2</sup>

The delegate should make an intention like: "I intend to make hajj (or umra) on behalf of so and so and for this I make ihram to Allah ﷻ." [124]

If the delegated person is hired he should enter hajj in the *hajj-first*<sup>3</sup> (ifrad) manner unless the person who delegated him allowed him to enter in any other manner. If the delegated person is a volunteer then he can enter hajj or umra in any manner he wishes, but the hajj-first manner is the best because it is the most perfect manner. It is sunna to mention the delegating person's name when performing the pillars of the rites. However, when performing non-obligatory (nafl) rites, such as nafl tawaf, then it is obligatory to mention the name of the delegating person.

The place at which the delegated person should enter into ihram on behalf of a deceased is the ihram-site (miqat) of the country of the deceased.

<sup>1</sup> In Arabic, Labbayk means 'Ever at your service.'

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 26/1811.

<sup>3</sup> One of the three manners of performing hajj and umra and the best according to the Shafi'i school. The two other manners are *umra-first* (tamattu') and *hajj and umra concurrently* (qiran). These manners will be explained later in the section of the manners of performing hajj and umra.

# THE PILLARS OF HAJJ AND UMRA<sup>1</sup>

## The pillars of hajj

### Ihram

Ihram means intending to enter into hajj or umra or both. Here, it means entering into certain forbidden acts, which are forbidden when starting hajj or umra. Ihram cannot be achieved without intention, for Umar ibn Al-Khattab رضي الله عنه narrated that the Prophet ﷺ said: "Every deed is according to its intention and to each person what he intends."<sup>2</sup>

Intention is the aim in one's heart to enter into hajj or umra, or both. It must be specified. Hence, if one makes a general intention by intending ihram without specifying 'during the hajj months'<sup>3</sup> then he can direct it to any one of the two rites, hajj or umra, or both unless the time of hajj has ended, in which case the intention is directed towards umra.

If the intention takes place outside of the hajj months then it becomes that of umra. The intention is what one aims not what one actually says. If one performs an act before making an intention then it does not count. Hence, if one performs tawaf or sa'i before making the intention then it does not count. It is recommended to pronounce the intention by saying: "I intend hajj or umra and for this I make ihram to Allah ﷻ." [125] If one is a delegate for someone, then he may say: "I intend hajj (or umra) on behalf of so and so and for this I make ihram to Allah ﷻ." [124]

It is valid to follow someone else's ihram, by intending to follow someone known for his good virtue and knowledge of religion. Thus, one makes the same ihram as the person he is following, without knowing what the person made ihram for. Abu Musa Al-Ash'ari رضي الله عنه said: "I came to the Prophet ﷺ while he was camping in Al-Battha' and he said to me: 'Did you perform hajj?' I said: 'Yes.' He said: 'What ihram did you make?' He said: 'I said: O Allah, I am ever at your service by making ihram as that of the Prophet's ﷺ.' He said: 'You did very well.'"<sup>4</sup>

### The legal status of ihram for entering Mecca

If a person, who has performed his obligatory hajj and umra, wants to enter Mecca for a need that is infrequent, such as visiting, trading or delivering a message, or he is a traveller from Mecca and wants to enter it after returning from his travel, then it is

<sup>1</sup> In this chapter we will only mention the obligatory acts of each pillar, and we will discuss the sunna acts of each pillar in the chapter of sunna acts of hajj and umra.

<sup>2</sup> Muslim, Vol. 3, The Book of Al-Imara, Chapter 45/155.

<sup>3</sup> The months of hajj are Shawwal, Thul-Qi'dah and ten nights of Thul-Hijja.

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 22/154.



recommended for him to make ihram for umra, or hajj if it is during the hajj days. It is makrooh to enter (Mecca) without ihram, because ihram is the greeting of Al-Haram (the Ka'ba). If one enters for fighting or in fear of an unjust person, and cannot go out to perform the rites, then he can enter without ihram, because the Prophet ﷺ entered Mecca the day he opened it without ihram, because he feared there might be fighting and he might be prevented from entering.

Those who commute to Mecca frequently, such as woodcutters, gardeners, hunters, water-bearers and postmen, may enter it without making ihram for it is narrated in *Sahih Al-Bukhari*: "The Prophet ﷺ ordered those intending to perform hajj or umra to make ihram, but he did not mention it for woodcutters and the like."<sup>1</sup>

## Standing<sup>2</sup> at Arafa

### The evidence that it is obligatory

Allah ﷻ says: "People owe Allah to make pilgrimage to the House, whoever is able to find a way," and it is narrated that the Prophet ﷺ said: "Hajj is (standing at) Arafa, so if one arrives before Fajr (dawn) prayer of the *night of joining* (Jam')<sup>3</sup>, then he has performed his hajj."<sup>4</sup> This hadith explains the Quranic command for performing hajj. Whenever a general evidence is explained by a hadith, the explanation becomes part of the original evidence and requires the same legal status.

### The place of standing

All of Arafa is a place for standing, so one can perform the pillar by standing on any part of Arafa except the middle of the *valley of Urna*, for Jaber ibn Abdullah رضي الله عنه narrated that the Prophet ﷺ said: "I stood here, and all Arafa is a place for standing."<sup>5</sup> Also, Jaber ibn Abdullah رضي الله عنه said: "The Prophet ﷺ said: 'All Arafa is a place of standing, but rise above the lower part of Arafa.'"<sup>6</sup>

### The boundaries of Arafa

The boundaries of Arafa are the mountain overlooking the valley of Urna and the opposite mountains, and the area that lies beyond the orchards previously known as the orchards of *Bani Amer*. The mosque of Namirah is not part of Arafa<sup>7</sup>.

A pilgrim, in a state of ihram, can achieve the obligation of standing at Arafa by merely being present there. It is even valid to stand on a branch of a tree, or to ride on an animal. However, it is not valid to be in the sky of Arafa, such as flying in an airplane over Arafa. Standing means being present, not the literal sense of standing.

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Al-Ihssar and the Penalty of Hunting, Chapter 29.

<sup>2</sup> The word 'standing' is usually used here, but it actually means staying in Arafa.

<sup>3</sup> This is the night of Muzdalifa in which Maghrib and Isha prayers are jointly performed at the time of Isha prayer.

<sup>4</sup> Ibn Maja, Vol. 2, The Book of Rites, Chapter 57/3015, from a hadith narrated by Abdul Rahman Ibn Ya'mur Al-Dayli رضي الله عنه.

<sup>5</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 20/149. By the word 'here', the Prophet ﷺ means by the rocks that lie on the hill of Jabal Al-Rahma (Mount of Mercy).

<sup>6</sup> Ibn Maja, Vol. 2, The Book of Rites, Chapter 55/3012.

<sup>7</sup> The limits of Arafa are now well marked.

Therefore, if one sleeps, or passes through Arafa, as to search for a fugitive or flee from someone, his standing at Arafa is valid even if he does not know that the place is Arafa as long as he had made the intention of hajj.

### **Standing time**

The time for standing at Arafa begins just after the sun's zenith (zawal) on the day of Arafa, which is the ninth of Thul Hijja, and continues until the break of dawn of the following day, which is the Day of Sacrifice (Nahr). Jaber رضي الله عنه narrated in a hadith describing the Prophet's ﷺ hajj: "That he ﷺ arrived at Arafa and found that a tent was erected for him in Namirah, so he stayed in it, and when the sun was about to set, he asked for Qaswa' and moved on."<sup>1</sup> Also the Prophet ﷺ said: "Learn your rites from me."<sup>2</sup> As well as the previous hadith of Abdul Rahman ibn Ya'mur Al-Daylee رضي الله عنه: "If one arrives at the night of joining (Jam'), before Fajr (dawn) prayer, he has achieved hajj."

The obligation can be achieved by staying in Arafa, even for one second, within the above mentioned time.

If the pilgrims stand at Arafa on the tenth day of Thul Hijja mistaking it for the ninth, because the moon of Thul Hijja was too overcast to be seen so that they had to complete thirty days of Thul Qi'da, and then it becomes apparent to them that the thirtieth night was from Thul Hijja, then their standing is valid. However, if they stand on the eighth or the eleventh of Thul Hijja by mistake, then their standing is **not** valid.

It is not a condition of standing to be pure from both types of hadath. Therefore, the standing of a person who is in a state of hadath, such as janaba, menstruation, or postnatal bleeding is valid. Aisha رضي الله عنها narrated that the Prophet ﷺ said to her when she started her menstrual period: "Perform all the ceremonies of hajj like the other pilgrims, but do not perform the tawaf around the Ka'ba until you become pure (from your menses)."<sup>3</sup>

### **Tawaf (circumambulation) around the Ka'ba**

After the pilgrim goes forth from Arafa and spends the night at Muzdalifa, he arrives at Mina on the day of Eid and throws the pebbles, sacrifices and shaves his hair, then goes forth to Mecca and does tawaf around the Ka'ba<sup>4</sup>. This tawaf is called *the visiting tawaf* (tawaf al-ziyara), because the pilgrim comes from Mina to visit the Ka'ba and does not stay in Mecca but spends the night in Mina. Also, it is called *the going-forth tawaf* (tawaf al-ifada), because the pilgrim performs it when going forth from Mina to Mecca. This tawaf is an obligation in hajj, that is why it is also called *the obligatory tawaf* or *the rukn tawaf*.

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147. Qaswa': Is the name of the Prophet's ﷺ riding camel.

<sup>2</sup> Al-Bayhaqi, Vol. 5, page 125.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 80/1567.

<sup>4</sup> The rites on the Day of Nahr (the first day of Eid Al-Adha) are four: 1- Stoning, 2- Slaughtering, 3- Shaving, 4- The going-forth tawaf (tawaf al-ifada). It is recommended to do them in that order.

## The evidence for it being obligatory

Allah ﷻ says: "And let them circumambulate the Old House."<sup>1</sup> Also, Aisha ؓ narrated "That Safiya bint Huyay ؓ, the wife of the Prophet ﷺ, got her menstrual period, so I informed the Prophet ﷺ of that. He said: 'Is she going to delay us?' The people said: 'She has already performed the going-forth tawaf.' He said: 'Then she will not (delay us).'"<sup>2</sup>

## Its time

Its time starts from the *Sacrifice-midnight*, for Aisha ؓ said: "The Prophet ﷺ sent Umm Salamah on the Night of Sacrifice, so she stoned the Jamra (the stoning site) before dawn then she went on and performed the going-forth tawaf."<sup>3</sup>

There is no end to the time of visiting tawaf, but it is preferable to do it on the Day of Sacrifice, and it is makrooh to delay it till after. It is even more makrooh to delay it beyond the *Tashriq Days* (the second, third and fourth days of Eid Al-Adha).

## The obligatory elements of tawaf

1. To cover one's awra. This is the same awra mentioned in the Book of Prayer. Abu Hurayrah ؓ narrated "That Abu Bakr Al-Siddiq ؓ, during the hajj in which the Prophet ﷺ made him in charge of (the year before the farewell hajj) sent him on the Day of Sacrifice, in a group of people, to announce to people that no disbeliever is permitted to perform hajj after this year, and no naked person is allowed to perform tawaf around the House."<sup>4</sup>
2. Purity from both major and minor hadath, and being free from najasa on one's body, clothing, and the place on which one walks (while performing tawaf), except for what cannot be avoided. Ibn Abbas ؓ narrated that the Prophet ﷺ said: "Tawaf around the House is like praying, but you may talk during it."<sup>5</sup> If someone, while making tawaf, gets uncovered (or breaks his wudu), he should cover himself again (or renew his wudu) and build upon what he has already performed. Contrary to praying, this is true even if he does it on purpose and leaves a long interlude in-between, because things which may take place in tawaf do not take place in prayer such as plenty of talking. However, it is recommended to start over again in this case.
3. One must keep the Ka'ba on one's left while walking forward, i.e. to do tawaf counterclockwise. If one faces the Ka'ba, turns his back to it, or puts it on his right then his tawaf is not valid.
4. Tawaf must begin from the *Black Stone* in each round. If one begins from another part (of the Ka'ba) then tawaf before reaching the Black Stone does not count.
5. Tawaf should comprise of seven full rounds which begin from the Black Stone and end at it. If a small distance (even if it is as short as a hand's span) remains between

<sup>1</sup> Al-Hajj, 29.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 144/1670.

<sup>3</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 66/1942.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 66/1543.

<sup>5</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 112/960.

oneself and completing the seven full rounds, then one's tawaf is invalid. Ibn Umar رضي الله عنه said: "The Prophet ﷺ arrived (in Mecca) and did tawaf around the House seven times, then he prayed two rak'as behind Maqam Ibrahim (the standing place of Prophet Ibrahim)." <sup>1</sup> Sacrifice does not make up for missed rounds. If one has doubts, while making tawaf, as to how many rounds one has done, he must assume that he has done the lesser number he is sure of. If one has doubts after finishing then he need do nothing.

6. Tawaf must take place within *Al-Masjid Al-Haraam* however large it may be, as long as it does not take place outside *Al-Haram*. Tawaf is also permissible in the air of *Al-Masjid Al-Haraam* and on its roof, even if one is higher than the House. It does not matter if there is a barrier between the person doing tawaf and the Ka'ba.
7. All of the body of the person performing tawaf must be outside of all parts of the Ka'ba. *Al-Shatherwan*<sup>2</sup> and *Al-Hijr*<sup>3</sup> of Isma'il (*Al-Hateem*) are parts of the Ka'ba. Aisha رضي الله عنها said: "I asked the Prophet ﷺ whether Al-Jadr - which is Al-Hijr or Al-Hateem - is part of the House (Ka'ba). He replied: 'Yes.'" <sup>4</sup> The evidence that all of the body of the person performing tawaf should be outside of all parts of the Ka'ba, is what Allah ﷻ says: "Let them make tawaf around the Old House<sup>5</sup>." One may be considered doing tawaf around it only if no part of him is in it or touching it, otherwise he is doing tawaf within it. In addition, the Prophet ﷺ made tawaf outside it, and he said: "Learn your rites from me." Therefore, if one lets part of his body go into the space above *Al-Shatherwan* or *Al-Hijr*, or touches *Al-Hijr*'s walls or the walls of the Ka'ba *while walking*, then his tawaf is invalid, and he must repeat the round in which this happened.

If one wants to touch the Yamani corner or the Black Stone during his tawaf, he must stop and stand perfectly still then touch it without moving even one step while touching the Stone, the corner, or the wall. Otherwise, he has to repeat the round.

8. Not to change the intention of one's tawaf to something else, such as searching for an enemy, and if one does then the tawaf is interrupted. Coupling another intention with the intention of tawaf, such as looking for a lost person, does no harm.

For non-obligatory tawaf the intention is obligatory, whereas it is recommended for obligatory tawaf because the intention of performing hajj or umra includes the intention of tawaf.

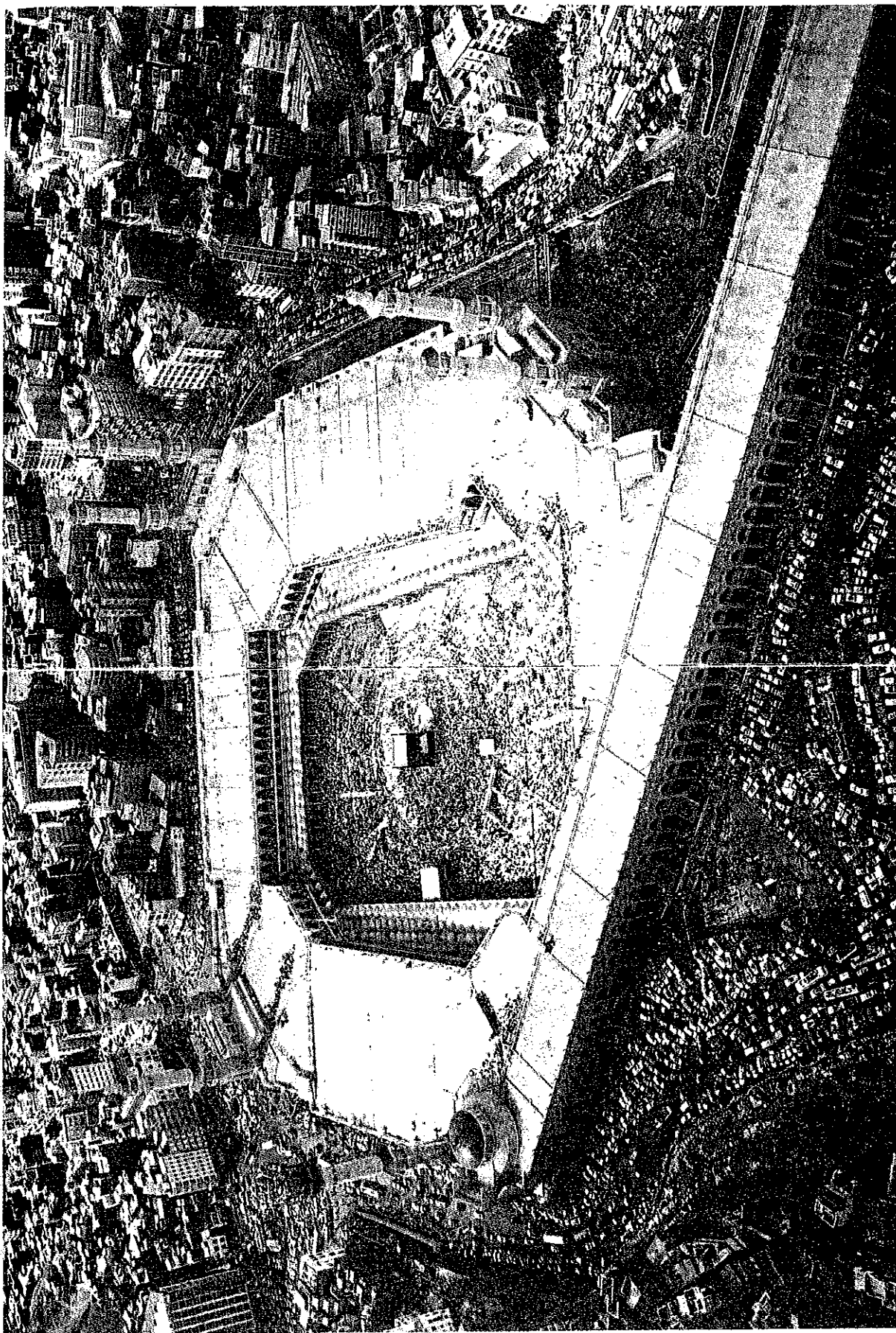
<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 68/1544.

<sup>2</sup> Al-Shatherwan: A buttress at the base of the Ka'ba that resembles a slanting ledge. It is two thirds of a thira' (Arabic measure of length equal to 48 cm approximately) wide, outside the width of the walls of the Ka'ba.

<sup>3</sup> A semicircular wall that stands apart from the Ka'ba.

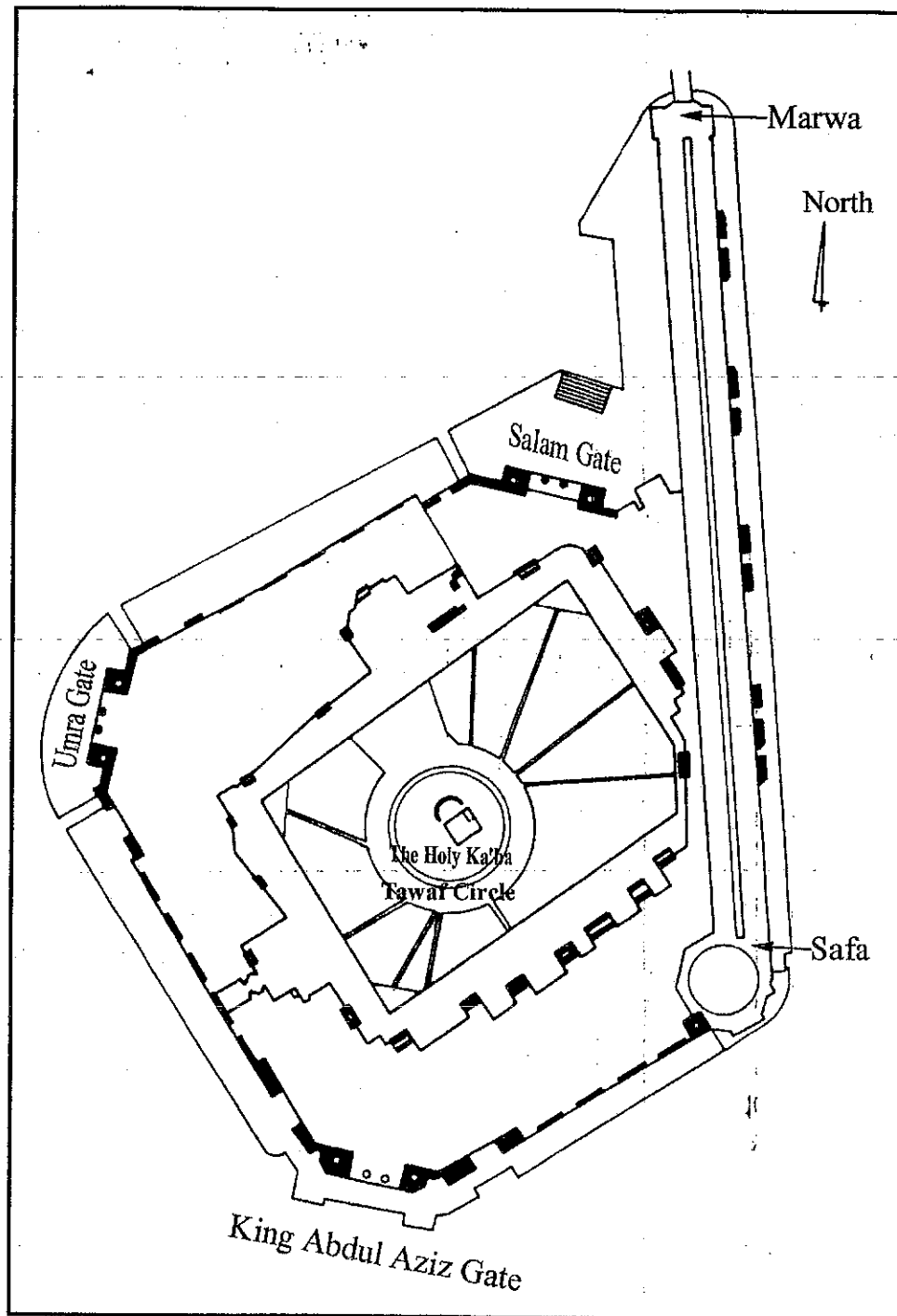
<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 41/1507.

<sup>5</sup> Another name for the Ka'ba

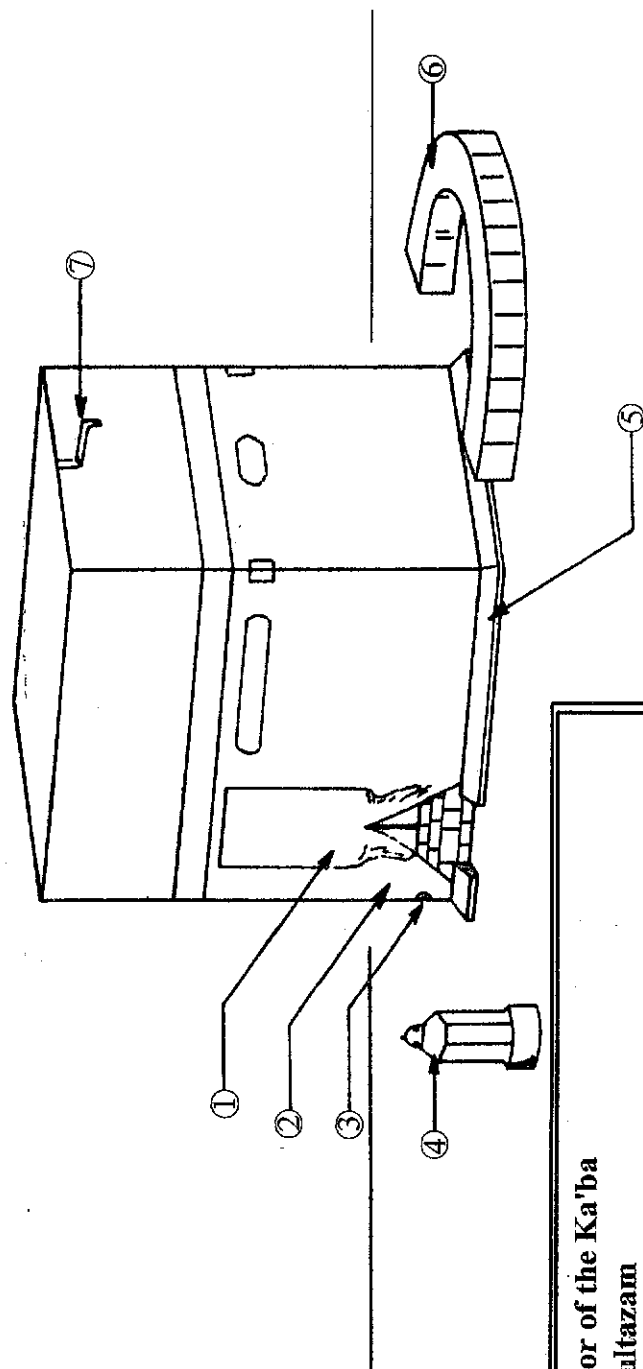


Aerial View of Al-Masjid Al-Haram

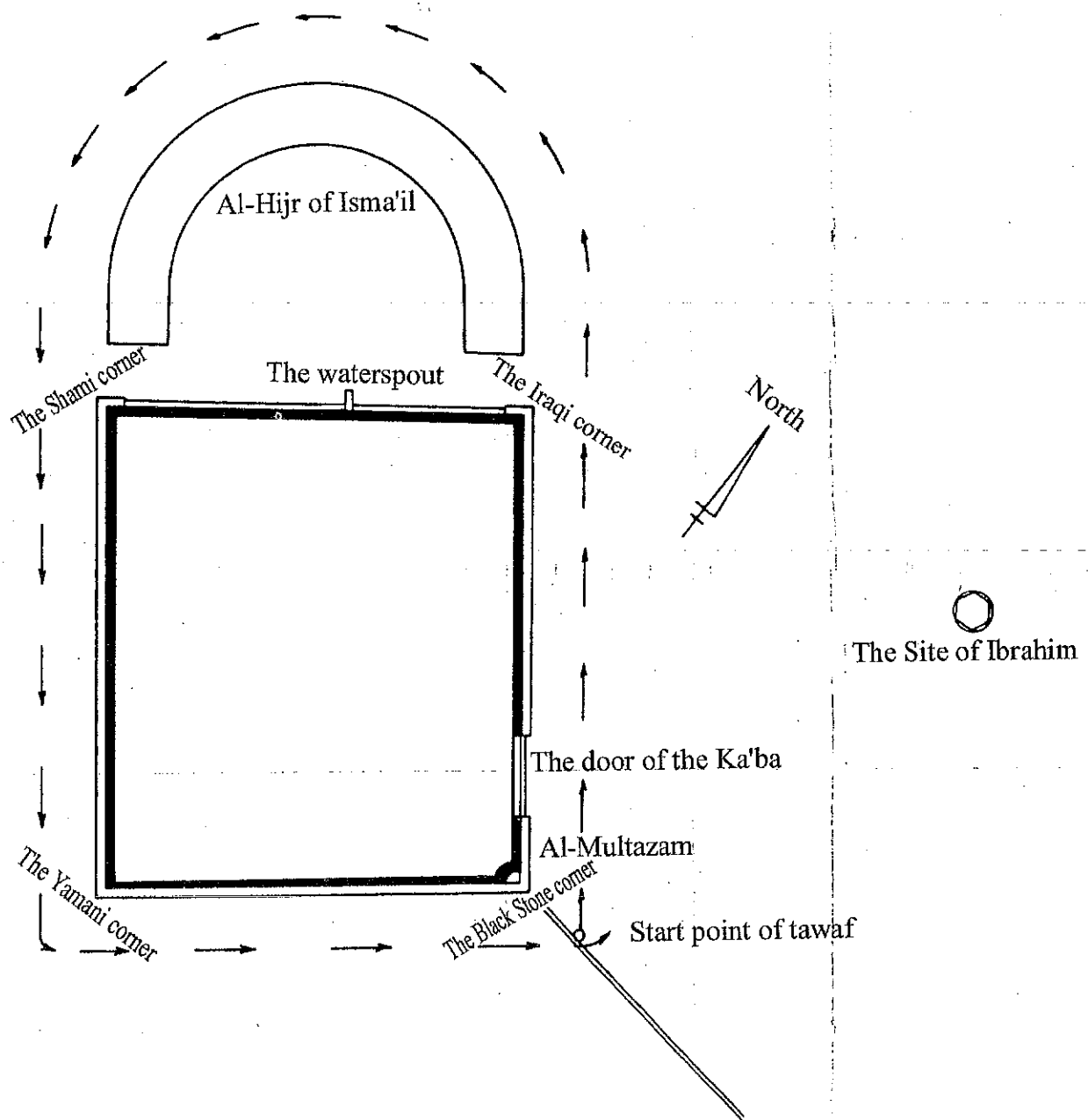
## Plan of Al-Masjid Al-Haraam



## A rough sketch of the Holy Ka'ba and the Site of Ibrahim



1. The door of the Ka'ba
2. Al - Multazam
3. The Black Stone
4. The Site of Ibrahim
5. Al-Shatherwan
6. Al-Hijr of Isma'il (Al-Hateem)
7. The Waterspout of Mercy ( Mizab Al- Rahma )



Plan of the Holy Ka'ba illustrating its corners



## Going between Safa and Marwa (sa'i)

### Definition

**Literally:** *Sa'i* means to hurry. Here, it means walking in general. *Safa* is a name for smooth stones, here it means part of the *Abu Qubais* mountain, thus called because Prophet Adam عليه السلام took fire from it. *Marwa* means a sparkling white stone, here, it means part of *Qaynuqa'* mountain. These two small mountains are located near the Ka'ba. The distance between them is nearly 420 meters.

Going between Safa and Marwa is to commemorate Hajar's<sup>1</sup> walking between them to seek water, as it is narrated in Sahih Bukhari in a long hadith narrated by Ibn Abbas رضي الله عنه.

### Its evidence

Allah ﷻ says: "Safa and Marwa are rites of Allah, whoever makes hajj or umra then he must go between them."<sup>2</sup> Also, Habiba bint Abu Tajzi'a رضي الله عنها narrated that the Prophet ﷺ said while performing sa'i: "Perform sa'i, for Allah has ordered you to make sa'i."<sup>3</sup>

### The obligatory elements of going between Safa and Marwa

1. Sa'i should take place after a valid tawaf, be it after the going-forth tawaf, or the arrival tawaf for a pilgrim who has not yet stood at Arafat. However, if standing at Arafat intervenes between the arrival tawaf and sa'i, then one should not go between Safa and Marwa until he performs the going-forth tawaf. If the pilgrim goes between Safa and Marwa after the arrival tawaf then it is not recommended to repeat it after the going-forth tawaf.
2. To begin from Safa. Jaber رضي الله عنه said: "When the Prophet ﷺ reached Safa he read: '*Safa and Marwa are of Allah's rites, I begin with what Allah began.*' So, he ﷺ began with Safa."<sup>4</sup> If one begins at Marwa, then the first lap does not count, since the second lap must begin at Marwa and the third lap at Safa and so on.
3. Going between Safa and Marwa must be done seven times. It will be invalid if one neglects any of the seven times. Going from Safa to Marwa is one lap and returning from Marwa to Safa is another lap. One must cover the entire distance between Safa and Marwa, so if one leaves even a fraction of a single step then his sa'i is invalid. One who is walking must put his foot against the mountain when starting, or finishing, without leaving any space inbetween. This is true if one does not climb Safa and Marwa, but if one does then it is the ideal since climbing is a confirmed sunna.
4. It should be within the designated walking path. It is invalid to walk outside it.

<sup>1</sup> Hajar: The mother of Isma'il عليه السلام.

<sup>2</sup> Al-Baqara, 158.

<sup>3</sup> Musnad Al-Imam Ahmad, Vol.6, page 422.

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/ 147.

5. One's intention should not be diverted from sa'i to something else. Therefore, if one goes between Safa and Marwa with the intention of catching an enemy then his sa'i is invalid. Racing with others in sa'i, like some ignorant people do, is wrong if it is not coupled with the intention of making sa'i.

Purity from both types of hadath and other conditions needed for the validity of prayer are not necessary conditions for going between Safa and Marwa, because the walking path is not part of the mosque.

## **Shaving or cutting the hair short**

### **Definition**

Shaving is removing the hair with a razor, while cutting is shortening the hair without removing it.

### **Its evidence**

Allah ﷻ says: "You shall enter the Holy Mosque by Allah's will safely, shaving your head or cutting it short."<sup>1</sup> Shaving is better for men, but it becomes obligatory if one vows to do it.

### **Its conditions**

1. Shaving or cutting the hair short must not be less than removing (by any mean) three hairs, or parts of them, even if they are the only hairs on one's head, whether they are together or in different places of the head. If one has a single hair on his head he is obligated to shave it. The hair must be from the head, not from the face, such as a moustache or beard.
2. It should take place after stoning Jamrat Al-Aqaba, or after the going-forth tawaf.

### **Its time**

The time of shaving or cutting starts from the middle of the Eve of Sacrifice.

## **Rites of umra**

1. Ihram with intention.
2. Tawaf.
3. Sa'i.
4. Shaving or cutting the hair short.

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<sup>1</sup> Al-Fath, 27.

# OBLIGATORY ACTS OF HAJJ AND UMRA

## Obligatory acts<sup>1</sup> of hajj

### To enter ihram at the ihram site (miqat)

**Literally :** Miqat means the border.

**Legally:** The time and place of worship.

The time of year to enter ihram for hajj is Shawwal, Thul Qi'da, and the first ten nights of Thul Hijja. It ends at the dawn of sacrifice night. The evidence for that is what Allah ﷻ says: "Hajj is certain months,"<sup>2</sup> which means the time to enter ihram for hajj, because hajj does not last for months. It is not valid to perform hajj more than once in the same year, because the time (of hajj) will be taken up with the acts of the first hajj, so one cannot perform another hajj.

If one enters ihram for hajj during non-hajj months, then his ihram counts for umra, because performing umra is a worship which has no set time, and entering ihram for umra is valid any time of the year.

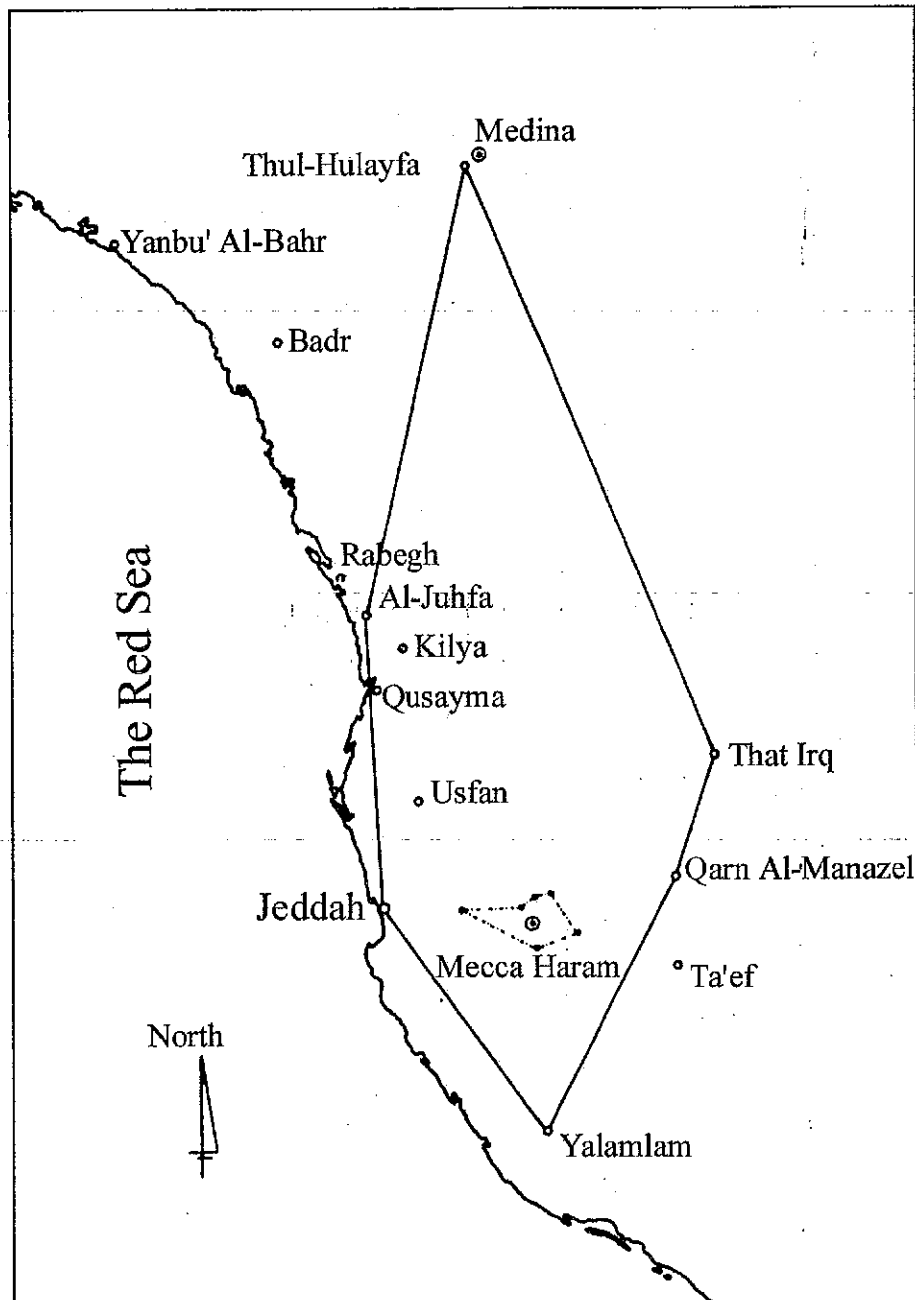
The site for entering ihram for hajj varies according to the country of the pilgrim:

1. One who resides in Mecca, whether or not he is Meccan, prays two raka's, the sunna prayer of ihram, in the Holy Mosque then comes to his house and makes the intention of hajj, preferably at his doorstep, or within his house.
2. One who does not reside in Mecca, enters ihram for hajj at one of the following sites:
  - a. Thul Hulayfa (Ali's wells) is the site for entering ihram for people coming from Medina. It is about 450 km north of Mecca. Thul Hulayfa has been the ihram site for Medina residents from the Prophet's ﷺ time till the present day. It is not permissible for Medina residents nor those who pass through from the Syria-Palestine region, to enter ihram for hajj or umra beyond this site, such as making ihram at Rabegh. One who does that is obligated to sacrifice.
  - b. Al-Juhfa is the ihram site for people coming from the Syria-Palestine region, Egypt, and North Africa. It is situated between Mecca and Medina, about 187 km away from Mecca. At present, Al-Juhfa has turned into ruins so it has been replaced with Rabegh which is about 204 Km away from Mecca.

<sup>1</sup> Al-Shafi'i did not differentiate between pillars (rukns) and obligations (wajeb) in any act of worships except hajj, where he differentiated between them following the Prophet's ﷺ example.

<sup>2</sup> Al-Baqara, 197.

## A Map of the ihram sites showing the Haram area



- c. Yalamlam is the ihram site for people coming from the Tihama of Yemen. It is a mountain situated south of Mecca, 94 km away from it.
  - d. Qarn is the ihram site for people coming from the Najd of Al-Hijaz and the Najd of Yemen, it is called Qarn Al-Manazel. Qarn is a mountain, 94 km east of Mecca, overlooking Arafa.
  - e. That-Irq is the ihram site for people coming from Iraq and the east in general, it is 94 km north east of Mecca.
3. He who travels by a route that does not pass through an ihram site, enters ihram when he reaches a point that is parallel with the nearest ihram site. If the route lies between two ihram sites then one enters ihram when he reaches a point that is parallel to the ihram site that is farthest from Mecca. If the route parallels no ihram site, one enters ihram at a distance of two stages (82 km) from Mecca.
  4. Someone residing close to Mecca at a distance less than two stages, or between Mecca and the ihram site, enters ihram at his residence. Ihram sites are determined in the hadith of ibn Abbas رضي الله عنه: "That the Prophet ﷺ appointed Thul Hulayfa for the residents of Medina, Al-Juhfa for the residents of the Syria-Palstine region, Qarn Al-Manazel for the residents of Najd, and Yalamlam for the residents of Yemen. These sites are for those who live at the above mentioned regions, and for those who come through them with the intention of performing hajj or umra. One who lives closer to Mecca than these sites should enter ihram from where he starts. The residents of Mecca (make ihram) from Mecca."<sup>1</sup> Aisha رضي الله عنها narrated that: "The Prophet ﷺ appointed That Irq for the residents of Iraq."<sup>2</sup>

If somebody, who does not have the intention of performing hajj and umra, goes beyond the proper ihram site then decides to perform it, he should enter ihram where he is. If someone, who has the intention to perform hajj or umra, goes past the proper ihram site without entering ihram, then he is obligated to return to the ihram site before performing any rite, even if he has already made ihram. If he does not return, or returns after performing a rite (even out of ignorance or absentmindedness), then he is obligated to sacrifice.

It is best to enter ihram at the beginning of the ihram site so that one covers the remainder of the site while in ihram. In the case of Thul Hulayfa, entering ihram at the mosque at which the Prophet ﷺ made ihram is better. Finally, a pilgrim may enter ihram from his own country, but to enter ihram at the proper ihram site is better.

### **To spend the eve of the Day of Sacrifice at Muzdalifa**

This can be met, according to Al-Shafi'i, by being present at Muzdalifa even for a brief moment, in the second half of the *Night of Sacrifice*. It is not valid to be present in the

<sup>1</sup> Al-Bukhari, Vol.2, The Book of Hajj, Chapter 12/1457.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 9/1739.

first half of the night. If one departs from it (unwillingly or out of ignorance), before the second half has commenced, he is obligated to sacrifice<sup>1</sup>.

It counts to stay overnight in any part of Muzdalifa. Jaber رضي الله عنه narrated that the Prophet ﷺ said: "I sacrificed here, but all of Mina is a place for sacrificing, so sacrifice wherever you have camped; and I stood here, but all of Arafah is a place for standing; and I stood here, but all of Jam' (Muzdalifa) is a place for standing."<sup>2</sup>

### **Stoning the Jamra of Aqaba on the Day of Sacrifice with seven pebbles<sup>3</sup>**

Because the Prophet ﷺ stoned and said: "Learn your rites from me."

The time for stoning starts in the middle of the sacrifice night, and continues until the end of the three Tashriq Days (the second, third, and fourth days of Eid). Stoning has three times, the *best time*, the *optional time*, and the *permissible time*. The best time is between sunrise and noontime, while the optional time extends till the end of the Day of Sacrifice, whereas the permissible time lasts till the end of the three Tashriq Days, as previously mentioned. If one does not stone until after the time for stoning has passed then his hajj is valid but he is obligated to sacrifice.

The evidence that time starts from the middle of the sacrifice night is the hadith narrated by Aisha رضي الله عنها; she said: "The Prophet ﷺ sent Umm Salama on the Night of Sacrifice, so she stoned the Jamra before dawn (Fajr), then she went on and performed the going-forth tawaf."<sup>4</sup>

The evidence that stoning can be done on the evening of the Sacrifice Day is narrated by Ibn Abbas رضي الله عنه: "That a man said to the Prophet ﷺ: 'I did the stoning in the evening!' He ﷺ said: 'No problem.'"<sup>5</sup>

### **Stoning the three Jamras on the three Days of Tashriq**

Stoning should be done using seven pebbles for each Jamra each day. This is true if one is not in a hurry to leave within two days. If one is in a hurry then he is no longer obligated to stone on the third day. Allah ﷻ says: "If anyone hurries to leave in two days then there is no blame on him."<sup>6</sup> Salem narrated from Ibn Umar رضي الله عنه: "That he used to throw the small Jamra with seven pebbles and used to say takbir (Allahu Akbar- Allah is Greatest) on throwing every pebble. He then would move forward until

<sup>1</sup> But one can follow the Maliki school, where one may stay in Muzdalifa only for the duration needed for encamping and departing, whether during the first or second half of the Night of Sacrifice.

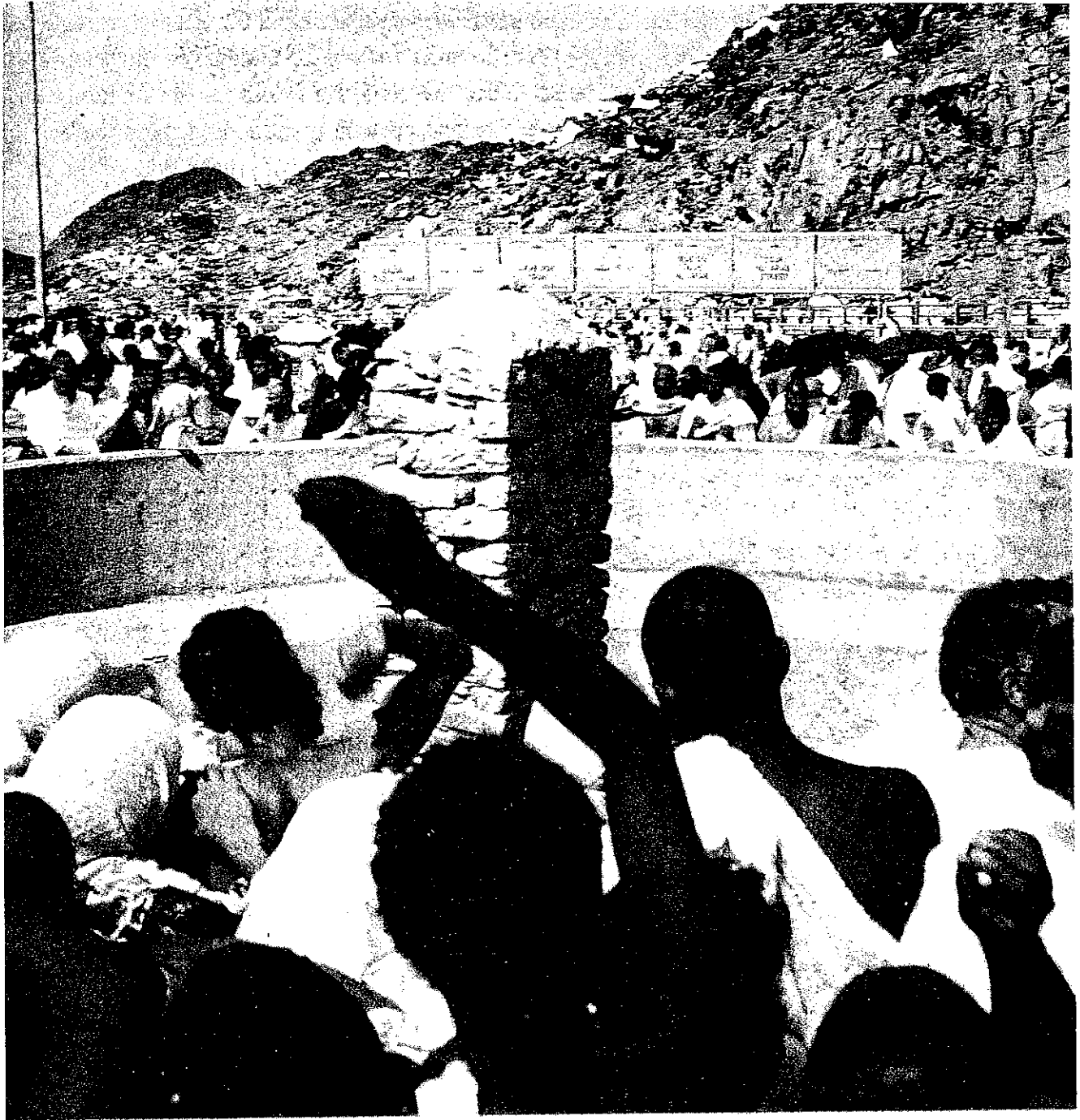
<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 20/149.

<sup>3</sup> Going between Safa and Marwa, stoning, and tawaf are rites, the meaning of which is incomprehensible to us. However, Allah ﷻ ordered people to do it to see that they follow his orders.

<sup>4</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 66/1942.

<sup>5</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 129/1648.

<sup>6</sup> Al-Baqara, 203. This is called the first mass departure (nafir), there are conditions for its validity: 1. To depart in the afternoon and before sunset of the third day of Eid. 2. To stay for two nights before departing, or miss staying these two nights for an excuse, otherwise one is obliged to stay for a third night and stone during its daytime because he has no excuse. 3. To depart after having completed the stoning on the second and third days of Eid. 4. The intention should accompany it, that is to have it before one leaves Mina. This means one should return to Mina after having stoned the Jamra of Aqaba then intend there to depart.



Stoning the Jamras at Mina

he reached level ground where he would stand up facing the qibla for a long time to invoke Allah while raising his hands. Then he would stone the middle one and then move to the left, where he would stand facing the qibla. He would remain standing there for a long period to invoke (Allah) while raising his hands, and would stand there for a long period. Then he would stone the Jamra of Aqaba from the middle of the valley, but he would not stay by it, and then he would leave and say: This is how I saw the Prophet ﷺ do it.”<sup>1</sup>

### **Its time**

Stoning is only valid after noon-time each Day of Tashriq. Therefore, stoning before noon is invalid, for Jaber رضي الله عنه said: “On the Day of Sacrifice, the Prophet ﷺ stoned the Jamra in the mid-morning, while on the following days (he stoned) in the afternoon.”<sup>2</sup>

If someone leaves out one stoning on the Day of Sacrifice or on one of the Days of Tashriq, he can perform it on the remaining Tashriq Days. It is permissible to perform the missed stoning in the daytime or nighttime. Stoning after the end of the Days of Tashriq is invalid, and one is obligated to sacrifice for leaving three or more pebbles. If one can not stone in person because of an excuse that exempts him from standing up in obligatory prayer, or believes he is unable to do it, then he is obligated to deputize someone else to stone on his behalf. This deputized person should be above the age of puberty, or (if a child) above the age of discretion and with the consent of his guardian. Stoning on behalf of someone else is only valid after having stoned the three Jamras for one's self<sup>3</sup>. If the ill person regains his health after the deputy stoned on his behalf, then he is not obligated to repeat the stoning in person, though it is recommended.

### **The conditions for the validity of stoning**

1. To definitely throw each Jamra with seven pebbles, one by one. If one throws two pebbles at a time then it only counts as one pebble.
2. What is thrown must be some form of stone. Anything else, such as pieces of pottery, doesn't count.
3. To aim at the throwing place and be certain that the pebble hit it. Hence, if one throws in the air or is not certain that the stone hit the throwing place then that throwing does not count. Each 'throwing place' has an area of 3 thira' (an Arabic measure equal to about 48 cm) surrounding it all round. As for the Jamra of Aqaba, there is only one direction for stoning it.
4. To stone the three Jamras in the proper sequence during the Tashriq Days. The first Jamra one should stone is the *Sughra* (The Smallest) which is closest to Al-Khayf Mosque, then the *Wusta* (The Middle one) and finally the *Aqaba*. The evidence is

<sup>1</sup> Al-Bukhari, Vol.2,, The Book of Hajj, Chapter 139/1664.

<sup>2</sup> Muslim, Vol.2, The Book of Hajj, Chapter 53/ 314.

<sup>3</sup> However, according to Maliki school, it is valid to stone each Jamra twice, first on one's behalf then on behalf of another person. Therefore one may follow Maliki school (in this particular matter).



the above mentioned hadith narrated by Salem from Ibn Umar رضي الله عنه. Quick succession is not necessary while stoning the Jamras, though it is recommended.

5. For it to be done by hand, because that what was done.

Making an intention is not necessary for stoning.

## **Spending the greater part of the nights of the three Tashriq Days at Mina<sup>1</sup>**

Spending the greater part of the nights of the three Tashriq Days at Mina is obligatory. However, if one hurries to leave on the second night (instead of the third), then he is not obligated to spend the third night in order to stone on that day. The evidence for this is that the Prophet ﷺ did it, and permitted Al-Abbas رضي الله عنه not to spend the nights at Mina so that he could provide water for the pilgrims<sup>2</sup>. This special permission indicates that no one else can leave it.

Night is from sunset until dawn. Spending the night can be achieved by spending more than half of its hours there, be it at the beginning or the end of the night. Some scholars see that spending the night at Mina can be achieved by being present in the second half of the night. One who does not spend the three nights is obligated to sacrifice only once in penance for them all. If one intends to hurry by leaving Mina before sunset of the second day, then he is obligated to sacrifice if he does not spend the two nights there, because he left out the obligation in its entirety (spending the night at Mina).

## **The farewell tawaf (tawaf al-wada')**

The *farewell tawaf* is obligatory when:

- One intends to leave Mecca, even if he is Meccan, and go away for a distance equal to or greater than the prayer shortening distance.
- One wants to return home from Mecca, even if the distance between his country and Mecca is less than the prayer shortening distance and even if he is not performing hajj or umra.
- A pilgrim intends to go to Mina and depart from there to his country.

The evidence for that is narrated by Ibn Abbas رضي الله عنه who said: "People were leaving in all directions, so the Prophet ﷺ said: 'Not one of you should leave unless the Holy House is the last thing he sees.'"<sup>3</sup> Sacrifice can compensate for not performing the farewell tawaf. If one returns to Mecca after departing, and before covering the prayer shortening distance or reaching his nearby country, and performs the farewell tawaf, then he is not obligated to sacrifice. Furthermore, he does have to make ihram for this re-entering and tawaf. If one stays after the farewell tawaf then he must repeat it, unless he stays to perform a prayer that has been called for, prepare for his travel such

<sup>1</sup> The boundary of Mina is what lies between the Jamra of Aqaba and the valley of Muhassir. The Jamra and the valley are not parts of Mina.

<sup>2</sup> Narrated by Al-Bukhari, from Ibn Umar رضي الله عنه Vol.2, The Book of Hajj, Chapter 132/1658.

<sup>3</sup> Muslim, Vol.2, The Book of Hajj, Chapter 67/379.

as buying food for the journey (provided it does not take long), loading luggage, drinking from the water of Zamzam, waiting for his companions, falling unconscious, or being forced to stay against his will even for a long time. One who leaves Mecca, on a short trip, to a place other than his country with the intention of returning, and one who goes to Mina while in a state of ihram, are not obligated to perform the farewell tawaf, though it is recommended.

A woman in her menstrual or postnatal period, and a sick person may depart without performing the farewell tawaf. Ibn Abbas ؓ narrated: "The people were ordered to perform the farewell tawaf as the last thing before leaving the House, except for a menstruating woman who is excused."<sup>1</sup> If the sick person regains his health, or the woman in her menstrual or postnatal period becomes pure, before leaving the outer buildings of Mecca, then they are obliged to perform the farewell tawaf.

## Avoiding the forbidden matters of ihram

Things which are forbidden while one is in ihram can be categorized into things related to what one wears, things related to one's body, and things related to hunting. These forbidden things are given in detail below:

### Forbidden clothing

This differs between men and women:

#### 1. What is forbidden for men:

- a. To wear anything that encircles the body or any part of it (like gloves) whether it is sewn such as a shirt or *qaba'*<sup>2</sup>, woven such as a coat or sack, or tied such as a *tarboush* (Turkish hat). All these are forbidden if worn in the usual way, such as throwing a cloak over one's shoulders without pulling his hands inside its sleeves, then that is forbidden, because it holds on even if he does not put his arms in. In this case one has to sacrifice in penance, whether he wears it for a long or short period. If one does not wear it in the usual way, such as throwing a cloak or cloth over himself while sleeping, so that if he sits it will not hold on to him, then it is not forbidden and does not obligate a penance.

It is not forbidden to wear an *izar*<sup>3</sup> or a *rida'*<sup>4</sup> even if they are stitched, because the prohibition applies to clothing that encircle the body but not to stitching. It is not forbidden, and it does not obligate a penance, to fasten one's *izar* by using a drawstring or waistband to hold it fast, tying one end to the other, tying a string over it, or holding it together with safety pins or buttons. As for the *rida'*, which is worn over the shoulders, it is forbidden to fasten it by putting a large pin through it, or tying it together, passing a string

<sup>1</sup> Al-Bukhari, Vol.2, The Book of Hajj, Chapter 143/1668.

<sup>2</sup> Qaba': An overgarment worn over the shirt or dress, tied in the middle with a belt.

<sup>3</sup> Izar: What is worn around the lower part of the body.

<sup>4</sup> Rida': What covers the upper part of the body over the *izar*.

through one end and then the other, or tying the two ends together. If one does, then he is obligated to sacrifice in penance.

- b. It is forbidden to wear shoes (khuff), yet it is permissible to wear what reveals all of one's heel and most of his toes, such as sandals or clogs. The evidence for all the above mentioned are authentic hadith, such as the hadith narrated by Ibn Umar رضي الله عنه that a man said: "O Messenger of Allah, what sort of clothes should one wear while in ihram? The Prophet ﷺ said: 'He should not wear shirts, turbans, trousers, hooded cloaks, or khuf, but if somebody has no shoes he can wear a khuff provided they are cut short off the ankle, and also, do not wear clothing touched by saffron or waras.'" <sup>1</sup> In another narration by Ibn Umar رضي الله عنه: "... And the woman in the state of ihram should not cover her face, or wear gloves." <sup>2</sup>
- c. It is forbidden to cover the head, or part of it, with anything, sewn or unsewn, that is considered to be a headcover, such as a hat, cloth, or shawl. By contrast, anything that is not considered to be a headcover is permissible, such as to shade one's self with an umbrella (even if it touches the head), to put one's hand on one's head, or to carry a basket on one's head, provided that one does not intend it as a headcover. If he does, then it is forbidden and he is obligated to sacrifice in penance. The hairless skin behind the ears is part of the head, and there is no difference between the hair and the skin of the head. It is narrated by Ibn Abbas رضي الله عنه that the Prophet ﷺ said about the man who fell from his riding animal and died while he was in a state of ihram: "Do not cover his head, for he will be resurrected on the day of judgment calling talbiya." <sup>3</sup> The face is excluded from the head, so it is not forbidden to cover it. It is permissible to cover the head (though it obligates a penance) for an excuse, such as for protection from heat or cold, or for treatment. Allah ﷻ says: "And he has not imposed any difficulties on you in religion" <sup>4</sup>, and because this can be measured against permitting shaving in fear of harm.

## 2. What is forbidden for women:

It is forbidden for a woman to veil her face (in ihram) with anything that is considered a facecover, while things not considered a facecover, such as putting her hands on her face, are permissible. It is not permissible for a woman to cover her face, nor her hands, with a blanket while sleeping. She must cover, though, as much of her face as needed to make sure that her head has been completely covered. If she fears causing attraction (by not veiling her

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 20/1468. Al-Jouhari said: A hooded cloak is a long head gear made of cotton, that hermits used to wear in the early days of Islam. Waras: is a yellow plant used for dying.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Ihssar and the Penalty of Hunting, Chapter 24/1741.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Ihssar and the Penalty of Hunting, Chapter 32/1753.

<sup>4</sup> Al-Hajj, 78.

face) then she is obligated to cover her face and sacrifice in penance<sup>1</sup>. A woman may drape something in front of her face provided it does not touch it, with the help of a stick or the like. If it touches the face without her intention and she removes it quickly, then no penance is necessary. Aisha رضي الله عنها said: "People used to pass by us while we were in ihram with the Prophet ﷺ. When they became close, we would draw our head veils in front of our faces, and then we would uncover our faces when they passed by."<sup>2</sup>

It is forbidden to use a mask to cover only part of the face, because the Prophet ﷺ prohibited that in the above mentioned hadith: "... And the woman in the state of ihram should not cover her face, or wear gloves." Wearing glasses (but not sunglasses) is permissible because they are worn for vision not for covering the face.

A hermaphrodite is treated as a woman, so she is obligated to cover her head and unveil her face. Also, she is permitted to wear clothings that encircle the body, though it is recommended to avoid wearing them for the possibility of being a male.

### Forbidden things concerning the body

1. It is forbidden to use perfume, such as musk or camphor, on one's body or clothing. If one does he is obligated to sacrifice in penance. The prohibition takes place when one uses perfume intentionally, but if he does so without intention (if wind blows perfume on him), unwillingly, in ignorance of its prohibition, or in forgetfulness of being in a state of ihram, then it is not forbidden and he is not obligated to sacrifice in penance. Ya'la ibn Umayyah رضي الله عنه narrated: "That a man, who had entered ihram for umra, came to the Prophet ﷺ at Je'erranah with his head and beard dyed yellow and wearing a *jubbah* (a long mantle). He said: 'O Messenger of Allah, I have entered ihram for umra in the manner you see.' He ﷺ said: 'Take off the mantle, wash the yellow dye away, and do in umra what you would do in hajj.'"<sup>3</sup> If one knows the prohibition of wearing perfume but has no knowledge about the penance, then he is obligated to sacrifice in penance. In addition, it is forbidden to eat or use anything that is scented (such as spices, cardamom, toothpaste, perfumed body lotions, and perfumed soap). It is not permissible to use any scented thing as eyeliner, or in an enema, or to sniff it, yet if a medicine contains some scented ingredients then it is not forbidden. One is permitted to go into or sit in, a perfume shop or an area where incense is used, because avoiding such places may be difficult, though it is recommended to avoid them unless the incense burning

<sup>1</sup> According to Shafi'i school, the penance is obligated every time she veils and then unveils her face. While, according to Hanafi school, to sacrifice in penance is only obligated when she covers her face a whole day, but if she covers for less than a day then she is obligated only to give charity. Thus, it would be better for women who feel they must cover their faces to follow the Hanafi school.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Hajj, Chapter 1/9.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 1/9.

happens to be in a blessed place, such as while sitting at the Ka'ba, since this is not intended or purposeful.

2. To apply oil, even in small amounts and even if it is not perfumed, on the hair or beard, for this is a way to beautify the hair and make it attractive, and it goes against the status of ihram, which requires one to be disheveled and dusty so that one shows his need and servility to Allah ﷻ. Umar ibn Al-Khattab ؓ said: "I heard the Prophet ﷺ saying: 'A pilgrim is unperfumed and disheveled.'"<sup>1</sup>

It is also forbidden to apply oil on a shaven scalp, because the hair will grow in beautified<sup>2</sup>. This includes, in particular, the hair of the head and beard, facial hair such as eyebrows, moustache, and sideburns. The rest of the body hair is excluded, therefore it is not forbidden to apply unscented oil to it. Yet, it is not permissible to apply perfumed oil to **any** part of the body.

3. To shave/cut hair or clip nails. Allah ﷻ says: "Do not shave your head,"<sup>3</sup> meaning your hair. It is forbidden to remove hair, even if only part of a single hair, from any part of the body, be it from the armpit, private area, or nose, whether the hair is removed by shaving, cutting, plucking, burning, or any other means. If one does it but of ignorance or forgetfulness then there is no prohibition but a penance is obligated. If a single hair, or more, falls out by itself then one has no blame and no penance is obligated.

It is forbidden to clip fingernails or toenails, even if only part of a single nail, by clipping or any other means. If (part of) a nail breaks while one is in ihram, he may remove the broken part but not the remaining nail and no penance is obligated. This is also true if a hair enters one's eye and hurts him then he may remove it. The clipping of nails is as forbidden as removing hair, because both are signs of luxury.

When in ihram, it is makrooh both to comb one's hair or scratch one's head or any part of one's body with one's fingernails. If one combs his hair and three or more hairs fall out while doing this, a penance is obligated. It is permissible to shave (cut) the hair to get rid of lice or because of a wound, but a penance is necessary. It is not makrooh to wash one's head or body because it is for cleanliness, though it is better not to. While in ihram, one may use cupping or bloodletting as long as these do not cause the removal of any hair.

### **Forbidden things related to hunting**

1. It is forbidden while in ihram to hunt, whether inside or outside the Haram, any wild game that may be eaten by Muslims. Allah ﷻ says: "It is forbidden on you to hunt game while you are in ihram,"<sup>4</sup> also Allah ﷻ says: "O Believers do not kill hunted animals (game) while you are in ihram."<sup>5</sup>

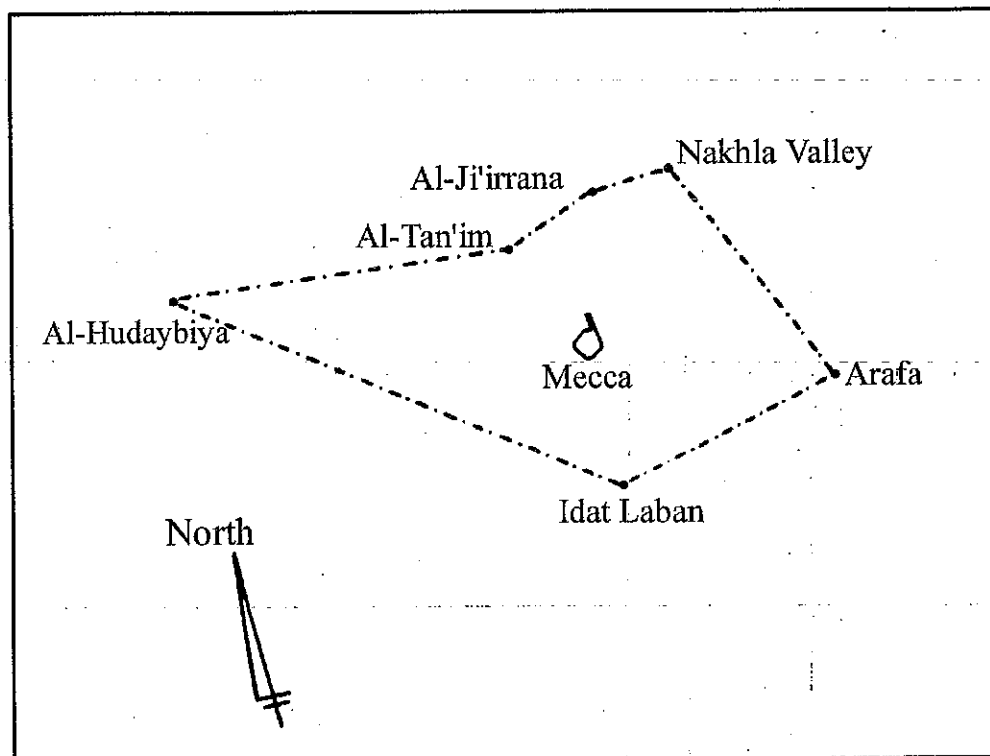
<sup>1</sup> Narrated by Al-Tabarani, Mujama'a Al-Zawaid, Vol.3, page 218.

<sup>2</sup> This does not apply to the scalp of a bald or hairless person nor the face of a beardless person whose beard will not grow.

<sup>3</sup> Al-Baqara, 196.

<sup>4</sup> Al-Ma'ida, 96.

<sup>5</sup> Al-Ma'ida, 95.



A Map of the Haram area

It is forbidden to assist anyone in hunting, such as indicating the game's location or providing the hunting weapon. Also, it is forbidden to lay hand on it so that it becomes under one's disposal even if he pays for it or gets it as a gift. Therefore, the owner of a hunted animal must release it, when he wants to enter ihram, so that he is no longer its owner and whoever takes it will be the new owner. If he wants to get it back, after he has released himself from ihram, he has to acquire it anew. Similarly, it is forbidden to take any of its parts, such as its feathers, eggs or chicks. Generally, it is forbidden to antagonize it at all, such as disturbing or scaring it away. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "It is not allowed to chase (or disturb) its (Mecca's) game."<sup>1</sup> In the Haram (see the map of the Haram area), it is forbidden to hunt, whether in the state of ihram or not, game that may be eaten by Muslims. Fishing (sea animals) is not forbidden, be it inside the Haram or elsewhere, and whether one is in a state of ihram or not. Allah ﷻ says: "You are allowed to fish and its food is for your benefit and for the travelers, and it is forbidden on you to hunt game while you are in ihram."<sup>2</sup> Sea animals means any aquatic life. However, killing amphibians is forbidden like game.

It is not forbidden, while in ihram, to kill domesticated game, such as domestic livestock and chickens. The *five deadly animals* can also be killed, as well as any other animal or insect harmful to humans. Aisha رضي الله عنها narrated that the Prophet ﷺ said: "Five kinds of animals are harmful and may be killed in the Haram (or elsewhere). These are: The crow<sup>3</sup>, the kite, the scorpion, the mouse, the wolf, and the rabid dog<sup>4</sup>. In a narration by Muslim, the snake is mentioned instead of the scorpion<sup>5</sup>, and in a narration by Abu Dawood he added "The predatory animal."<sup>6</sup> The hadith is not restricted what was mentioned, but includes all harmful animals such as mosquitoes, cockroaches, etc..

2. It is forbidden, whether in ihram or not, to damage the trees and plants of the Haram, by uprooting (cutting) or destroying, except for lemon grass (ithkher), thistle, fodder, crops, and fruits. A plant here means any green plant that grows of its own accord, therefore dry grass and trees are excluded and one may cut but not pull them up by the roots. Ibn Abbas رضي الله عنه narrated: "That the Prophet ﷺ said: 'Allah has made Mecca a sanctuary. So was it a sanctuary before me and so will it continue to be a sanctuary after me. It was made permissible for me (I was allowed to fight in it) for one hour of a day. It is not permitted to uproot its shrubs, to cut its trees, to chase (or disturb) its game, or to pick up anything that has dropped from anyone except by a person who would announce that.' Al-Abbas said: 'O

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Ihssar and the Penalty of Hunting, Chapter 20/ 1736.

<sup>2</sup> Al-Ma'ida, 96.

<sup>3</sup> That is the speckled crow. As for the black crow, it is forbidden to kill it because it may be eaten by Muslims.

<sup>4</sup> Al-Bukhari, Vol. 2, The Book of Ihssar and the Penalty of Hunting, Chapter 18/1732, a rapacious/predatory dog means all rapacious beasts which wound, kill, and devour such as tigers and wolves, but he ﷺ used the name dog because they are all beasts.

<sup>5</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 9/67.

<sup>6</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 40/1848.

Messenger of Allah! Except the lemon grass (for it is used) by our goldsmiths (as a fuel) and for our graves.' The Prophet ﷺ then said: 'Except for lemon grass.'"<sup>1</sup>

Also, the game and trees of Medina are forbidden. Ali ibn Abu Taleb ؓ said: The Prophet ﷺ said: "Medina is a sanctuary (Haram) in-between Ayre to Thawr."<sup>2</sup> Jaber ؓ narrated that the Prophet ﷺ said: "Ibrahim has made Mecca a sanctuary (Haram), and I have made Medina a sanctuary in-between its two volcanic rock areas so that neither its thorn bushes are cut nor its game is hunted."<sup>3</sup>

### **Marrying and related matters:**

1. It is forbidden to get married to anyone, while in ihram, or give someone in marriage. Uthman ؓ narrated that the Prophet ﷺ said: "One who is in a state of ihram should not give his consent in marriage to anyone, or get married (himself), or ask for one's hand (in marriage)."<sup>4</sup> No penance is obligated because the marriage contract is **not** valid to start with, whether one does so through an agent or a guardian, even if the would be husband is not in ihram. One is permitted to ask for one's hand (in marriage) but it is makrooh for the above mentioned hadith. The interpretation of this hadith is that it is forbidden to marry or to get married, but it is makrooh to get engaged. There is no problem with this interpretation by analogy with the interpretation of the verse: "Eat from its fruit when there is fruit and give the dues that are proper on the day the harvest is gathered."<sup>5</sup> Eating was permitted yet the dues were made obligatory.

While in ihram, a man who has divorced his wife (first or second time), whether before or during ihram, is permitted to resume the marriage, whether she is in a state of ihram or not, because this is a resumption of marriage, though it is makrooh.

2. Sexual intercourse is forbidden while in ihram. Allah ﷻ says: "Let there be no sexual intercourse nor reference to sexual issues<sup>6</sup>, nor wicked conduct, nor arguing in the hajj."<sup>7</sup> It is forbidden for the spouse who is not in ihram to allow the other spouse who is in ihram to have intercourse, because one will be helping the other to commit a sin, if one is insane or ignorant of its prohibition then it is not forbidden. In case it occurs, the penance is upon the husband- not the wife.
3. *Mubashara* with sexual desire (such as hugging, kissing, touching, or looking) is forbidden and obligates a penance, even if one does not ejaculate. If one does that

<sup>1</sup> Al-Bukhari, Vol.2, The Book of Ihsaar and the Penalty of Hunting, Chapter 20/1736.

<sup>2</sup> Muslim, Vol.2, The Book of Hajj, Chapter 85/467. Ayre: A mountain outside Medina on the road to Jedah. Thawr: A small mountain beside the mountain of Uhud, it differs from the other Thawr which is *Thawr cave* outside of Holy Mecca.

<sup>3</sup> Muslim, Vol.2, The Book of Hajj, Chapter 85/458.

<sup>4</sup> Muslim, Vol.2, The Book of Marriage, Chapter 5/41.

<sup>5</sup> Al-An'am, 141.

<sup>6</sup> The word "rafatha" as it occurs in the verse means sexual intercourse, foreplay, or even talking about sexual issues, all of which are forbidden during the state of ihram (see Ibn Katheer's explanation of the Quran).

<sup>7</sup> Al-Baqara, 197. 'Sexual issues' is interpreted as things between a man and his wife that may lead to sexual intercourse.



with a barrier, then his act is forbidden, but penance is not obligated unless he ejaculates. Mubashara without sexual desire is not forbidden.

5. Masturbation, which, it should be noted, is **categorically forbidden** at all times.

6. It is forbidden to speak explicitly of sexual matters.

### **Wickedness and arguing**

Allah ﷻ says: "Let there be no sexual intercourse nor reference to sexual issues, nor wicked conduct, nor wrangling in the hajj."<sup>1</sup> A pilgrim must behave in the best manner and be patient, because he undergoes much hardship in travel and in the crowds while performing the rites. Many pilgrims invalidate their hajj by acting foolishly in anger, swearing, and so on. Let the pilgrim remember that he is in Allah's presence, and let him observe that all the time, and behave properly. Furthermore, when talking about useless things, it is recommended to speak with brevity in order to preserve oneself from gossip and lies or getting involved in forbidden matters, for one who talks a lot makes many mistakes. Abu Hurayrah ؓ narrated that the Prophet ﷺ said: "He who believes in Allah and the Last Day, let him say what is good or be silent,"<sup>2</sup> also he narrated that the Prophet ﷺ said: "The excellence of a person's Islam includes leaving what does not concern him."<sup>3</sup> Ihram is a state of worship, sanctity, and obedience (to Allah), therefore avoiding such things, while in ihram, is highly necessary and emphasized. Whoever is in ihram, let him busy himself with saying talbiya, mentioning Allah, reciting Qūran, instructing the unlearned, enjoining what is right and forbidding what is wrong.

### **Conditions of prohibition**

Everything forbidden in ihram is prohibited if done by a person:

1. Deliberately.
2. Knowingly.
3. Voluntarily.
4. And he is qualified for accountability and obligation (morally responsible to Allah).

If the forbidden act is missing any of the above conditions then one has done no wrong.

#### The penance:

If one, who is in a state of ihram, does anything that is forbidden while in ihram, out of forgetfulness or excused ignorance, then:

1. If it is destructive, such as killing game or cutting trees, or if the proportion of destruction is greater than the proportion of pleasure, such as shaving or clipping the nails, then penance is obligatory.

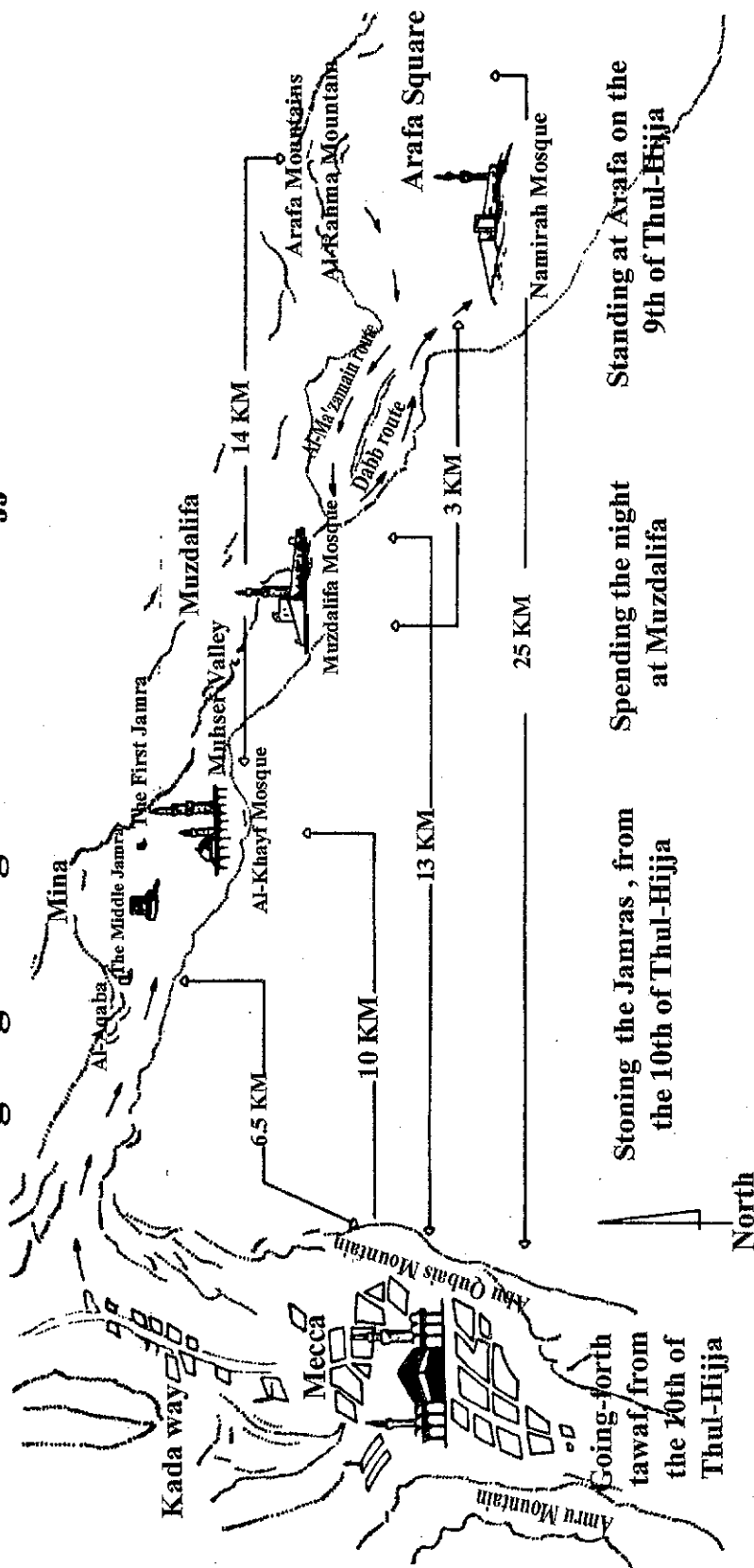
<sup>1</sup> Al-Baqara, 197. 'Wrangling' is to argue with another until one becomes angry, and also fighting and swearing.

<sup>2</sup> Al-Bukhari, Vol.5, The Book of Al-Riqaq, Chapter 23/ 6110.

<sup>3</sup> Ibn Maja, Vol.2, The Book of Al-Fitan (afflictions), Chapter 12/3976.

2. If it is for pleasure, such as using perfume, wearing clothing, applying oil on the head and beard, kissing, touching, and all types of mubashara with sexual desire, then the position is that no penance is obligated. There is a disagreement about having sexual intercourse, and the stronger opinion is that no penance is obligated.

## A map of the route followed by the pilgrim between Mecca and Arafat going through the rites of hajj



Stoning the Jamaras, from  
the 10th of Thul-Hijja

Spending the night  
at Muzdalifa

Standing at Arafat on the  
9th of Thul-Hijja

The pilgrim arrives at Mecca and performs the arrival tawaf, then goes to Mina on the 8th of Thul-Hijja where one spends the night. Then, one moves on to Arafat on the 9th of Thul-Hijja taking Dabb route. It is sunna to stay in Arafat until after sunset. One, then moves on to Muzdalifa, through Al-Ma'zamin route, and spends the Night of Sacrifice - the 10th of Thul-Hijja - there. From Muzdalifa, the pilgrim moves on to Mina and arrives there on Eid morning. In Mina, one stones the Jamaras of Aqaba, sacrifices, and shaves. The pilgrim then goes to Mecca, performs the going-forth tawaf, and make sa'i between Safa and Marwa. One then goes back to Mina to spend the three nights of Tashriq there, and stone the Jamaras in the daytime.

## The obligatory acts of umra

### Entering ihram at the proper site

People residing outside Mecca should enter ihram for umra from the same site as hajj. Residents of Mecca, whether or not they are Meccan, can enter ihram from the nearest point outside the Haram (the Sacred Precinct), even if by one step, in order to combine the Haram and non-Haram places. In hajj, one can achieve this combination in Arafah, because Arafah is not a part of the Haram. Abdul Rahman ibn Abu Bakr ؓ narrated: "That the Prophet ﷺ had ordered him to give Aisha a ride so she could enter ihram for umra from Al-Tan'im."<sup>1</sup>

The best site to enter ihram for umra from, for someone in Mecca (resident or stranger) is Al-Ji'irana, following the Prophet's ﷺ example. Ibn Abbas ؓ narrated that "The Prophet ﷺ and his companions entered ihram for umra at Ji'irana ...."<sup>2</sup> The next best site is Al-Tan'im which is the nearest place outside the Haram, followed by Al-Hudaybiya which is a well between Mecca and Jeddah, about six leagues from Mecca.

The time to enter ihram for umra is anytime of the year. However, in some cases, entering ihram for umra may not be possible, such as when one is in a state of ihram for hajj, or umra, prior to one's release from ihram, because one cannot enter into umra while in hajj or in (another) umra. Umra is not valid during Tashriq Days except for one who must leave early on the second day (of Tashriq) and comes to Mecca in the first *mass departure* (nafr). In this case, one is permitted to perform umra, be it obligatory or non-obligatory, starting from sunset of the second Day of Tashriq, though it is better to wait until sunset of the last Day of Tashriq, so as not to disagree with other schools of thought. If one leaves Mina to perform umra, before stoning and before the first mass departure, then his umra is not valid at all.

### To avoid things that are forbidden while in ihram.

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Umra, Chapter 6/1692.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Hajj, Chapter 50/1884.

# SUNNAS OF HAJJ AND UMRA

## Sunnas of ihram

1. Ghusl. Kharijah ibn Zaid ibn Thabet narrated from his father: "That he saw the Prophet ﷺ take off his sewn clothes and then do ghusl for ihram."<sup>1</sup> Ghusl is sunna for anyone who wants to enter into a state of ihram, be he young or old, male or female. Taking ghusl on entering ihram is also sunna for a woman in her menstrual or postnatal period. Jaber ﷺ narrated that the Prophet ﷺ said to Asma' bint Umais ﷺ when she had her baby: "Take ghusl and secure yourself with a pad<sup>2</sup>, then make ihram."<sup>3</sup>

The objective of this ghusl is cleanliness, because one who intends to enter into a state of ihram is getting ready for a worship people gather for, so it is sunna, for the same reason that ghusl is sunna before Friday prayer. If one is unable to do ghusl then he should do tayamum<sup>4</sup>.

Before ghusl, it is recommended to prepare oneself by trimming the moustache, removing axil and pubic hair, and clipping the nails, unless one wants to sacrifice on the tenth of Thul Hijja.

2. To perfume the body. Aisha ﷺ said: "I used to perfume the Prophet ﷺ before he entered ihram, after his release from ihram, and before he did tawaf around the House."<sup>5</sup> There is no harm if the scent remains after entering ihram.

It is **not** sunna to perfume one's clothes, because if one takes off his clothes for ghusl and enters ihram then puts them on again with the perfume still on, a penance is obligated.

3. It is sunna for a woman to apply henna to her hands up to her wrists, and to apply some of it to her face, in order to disguise the true color of her skin and minimize its attractiveness.
4. It is sunna for a man's clothing to consist of an izar, rida', and a pair of shoes. Ibn Umar ﷺ narrated that the Prophet ﷺ said: "Let your ihram, consist of an izar, rida' and a pair of shoes."<sup>6</sup> It is recommended for the izar and rida' to be white in colour, for ibn Abbas ﷺ narrated that the Prophet ﷺ said: "Wear what is white of your clothes for they are the best among your clothes, and enshroud your dead in it."<sup>7</sup> Also, it is recommended that the izar and rida' be new, otherwise they should be freshly washed.

<sup>1</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 16/830.

<sup>2</sup> Tying a wide piece of cloth to her private parts and tying its ends tightly to her waist.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>4</sup> According to Hanafi school, wudu can be performed instead of ghusl.

<sup>5</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 7/33.

<sup>6</sup> Masnad Al-Imam Ahmad, Vol. 2, page 34.

<sup>7</sup> Al-Tirmithi, vol. 3, The Book of Funerals, Chapter 18/ 994.

5. To pray two rak'as of ihram, at a time in which prayer is not forbidden. One then enters ihram facing the qibla as he sets out for his journey. Ibn Umar ؓ said: "The Prophet ﷺ used to pray two rak'as in Thul Hulaifah."<sup>1</sup> By consensus (of the four scholars of fiqh), an obligatory prayer serves instead of the two rak'as of ihram (just as the obligatory prayer serves instead of the two rak'as of greeting the mosque). It is sunna to recite sura Al-Kafirun in the first rak'a, and sura Al-Ikhlās in the second.
6. It is sunna to do talbiya (calling "Ever at your service"), preferably after praying the sunna of ihram for hajj or umra, though it is permissible after mounting one's vehicle. Ibn Umar ؓ narrated that: "The Prophet ﷺ did talbiya when he mounted his camel and it stood up."<sup>2</sup> It is narrated that the Prophet ﷺ did talbiya after prayer, and after mounting his camel. Abu Bakr Al-Siddiq ؓ narrated: "That the Prophet ﷺ was asked: 'What is the best (act of) hajj?' The Prophet ﷺ replied: 'Raising the voice with talbiya and sacrificing camels.'"<sup>3</sup> Jaber ibn Abdullah ؓ said that the Prophet ﷺ said: "He who spends his day, while in ihram, doing talbiya until the sun sets, will have his sins erased so that he becomes (as pure as) the day he was born."<sup>4</sup>

Men should raise their voices in talbiya except for the first talbiya which it is sunna to do silently. Khilad ibn Al-Sa'ib ibn Khilad narrated from his father that the Prophet ﷺ said: "Jibreel came to me and ordered me to order my companions to raise their voices in talbiya and when entering ihram."<sup>5</sup> As for a woman, she does her talbiya in a voice audible to herself only, as raising her voice is makrooh.

It is recommended to increase one's talbiya when going uphill or down, after prayers, and at the approach of night or daytime, and to persist in the talbiya until throwing the Jamra of Aqaba. Al-Fadl ibn Abbas ؓ said: "I rode behind the Prophet ﷺ from Jam' (Arafa) to Mina, and he kept repeating the talbiya until he stoned the Jamra."<sup>6</sup> It is recommended to repeat the talbiya in Al-Khaif mosque in Mina, in Ibrahim's mosque in Arafa (because they are sites for rites), and in all other mosques as well.

The wording of talbiya is narrated by Abdullah ibn Umar ؓ that "The talbiya of Allah's Messenger ﷺ was: 'Here I am O Lord, ever at Your service. Ever at Your service, You have no partner, ever at Your service. Verily, all praise, blessings, and dominion are Yours. You have no partner.'"<sup>7</sup> [126] One may add: "Here I am at Your service ever-offering my assistance and help to please. All the good is in Your hands, and our willingness and work is for You." [127] One repeats this three times. Then one recites the blessing on the Prophet ﷺ, and then asks Allah Most High for Paradise and His good pleasure and acceptance, by saying: "O Allah, I ask You for

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 3/21.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 27/1477.

<sup>3</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 14/827.

<sup>4</sup> Ibn Maja, Vol. 2, The Book of Rites, Chapter 17/2925.

<sup>5</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 15/829.

<sup>6</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 78/918.

<sup>7</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 25/1474.

Paradise and for You to be pleased with me" [128], and seeks refuge from Hell, by saying: "O Allah, I take refuge in You from Your wrath, and Hellfire" [129], and asks Allah for whatever he wishes for in this world and the next. When one in ihram, sees something pleasing or displeasing, he may say: "Ever at Your service, truly, the true life is the life of the hereafter." [130] During talbiya, it is recommended not to speak (to command or forbid) only to return a greeting.

It is recommended, for someone in a state of ihram, to enter Mecca before standing at Arafah, on foot, from the high side (the direction of Jeddah), in the daytime. It is recommended when one enters Mecca and first sees the Ka'ba to say: "O Allah, increase this House in nobility, honour, reverence, and dignity. Increase those going on hajj or umra, who honour and revere it, in honor, reverence, and piety. O Allah, You are Peace, the Source of Peace; O Lord, raise us after death in peace." [131] It is recommended to enter Al-Haram from the Salam (peace) gate, then to start performing the arrival tawaf, unless there is an excuse.

## Sunnas of standing at Arafah

1. Purity from both types of hadath.
2. Ghusl. Standing at Arafah is a worship for which people get together in one place, like the Friday and Eid prayers, therefore, ghusl for it is recommended.
3. To include both a portion of the day and night. It is sunna for one who is in ihram to remain in Arafah from when the sun passes its zenith until sunset. Ali ibn Abu Taleb ؓ said: "The Prophet ﷺ stood in Arafah and said: 'This is Arafah and this is where you stand, and all of Arafah is a place for standing.' Then he ﷺ left when the sun set."<sup>1</sup> If one leaves Arafah before sunset and does not return to it, then it is sunna to sacrifice for not combining both day and night. The sunna of combining both day and night while standing is only achieved on the day of Arafah. Therefore, if one who is in ihram comes to Arafah on the night of ninth Thul Hijja and spends the night there, then leaves Arafah in the afternoon before sunset of the ninth day, then he has not included both day and night.
4. To do a lot of du'a. Talha ibn Ubaidullah ibn Kariz narrated that the Prophet ﷺ said: "The best du'a (supplication) is the du'a of the day of Arafah, and saying: 'There is no god but Allah alone without partner,' [132] is the best of what I, and the prophets preceding me, have said."<sup>2</sup> Also, Ali ibn Abu Taleb ؓ narrated that the Prophet ﷺ said: "The du'a most said on Arafah by me and by prophets preceding me is: 'There is no god but Allah alone, without partner. His is the dominion, His the praise, and He has power over everything. O Allah, throw light into my heart, my hearing, and my sight. O Allah relieve my heart, and make my affairs easy. I take refuge in You from the whisperer in the heart, the disarray of matters, and the test of the grave. O Allah, I take refuge in You from the evil of what comes out at night,

<sup>1</sup> Al-Tirmithi, Vol. 3, The Book of Hajj, Chapter 54/ 885.

<sup>2</sup> Al-Muwatta', Vol. 1, The Book of Hajj, Chapter 81/ 246.

the evil of what comes out in the daytime, the evil of what the wind blows, and from the misfortune of time.”<sup>1</sup> [133] It is recommended to uplift one’s hands while making du’a.

It is recommended to do much tahlil (saying “There is no god but Allah”), takbir (saying “Allah is Greatest”), talbiya, tasbih (saying “Glory be to Allah”), reciting Quran, reciting the blessing on the Prophet ﷺ, and weeping, with one’s heart fully attentive and submissive to Allah while facing the qibla, following the Prophet’s ﷺ example<sup>2</sup>. Abu Hurayrah ؓ narrated that the Prophet ﷺ said: “There is a best way for everything and the best way to sit is facing the qibla.”<sup>3</sup>

5. It is recommended to stand exposed to the sun, unless there is an excuse such as harm from exposure to the sun, or becoming unable to do a lot of du’a and invocation. It has not been revealed that the Prophet ﷺ took shade at Arafah, whereas it is narrated that he shaded himself with a robe while stoning the Jamrah. Yahya ibn Al-Husain narrated from Umm Al-Husain ؓ that she said: “I accompanied the Prophet ﷺ in the farewell hajj, and I saw Usama and Bilal: One was holding the rein of the Prophet’s ﷺ camel, while the other was holding up his mantle to shade the Prophet ﷺ from the heat till he finished throwing the Jamrah of Aqaba.”<sup>4</sup>
6. To stand by the large round boulders that lie at the base of Jabal Al-Rahma (Mount of Mercy). Jaber ؓ narrated that the Prophet ﷺ stood by those boulders, and turned his camel to face the rocks. As for women, it is better for them to stand at the edge of the crowd.
7. To be mounted while standing at Arafah, for it is narrated that the Prophet ﷺ was mounted when he stood at Arafah<sup>5</sup>.
8. Not to be fasting, whether or not one can endure it, because not fasting enables one to do a lot of du’a. It is narrated in Sahih Al-Bukhari that the Prophet ﷺ was not fasting when he stood at Arafah<sup>6</sup>.
9. It is recommended for the imam of the hajj to give two khutbas in Arafah teaching people the rites of hajj and umrah.
10. It is sunnah for a travelling pilgrim to join Thuhr and Asr prayers together, at Arafah, in the time of Thuhr prayer and recite them to oneself. Also, it is sunnah to join the Maghrib and Isha prayers together, at Muzdalifah, in the time of Isha prayer and recite them aloud. Travelling is the reason for joining prayers here not the rite<sup>7</sup> itself. Therefore, this sunnah does not apply to someone who stays in Mecca for four or more days excluding the entry and departure days.

<sup>1</sup> Al-Bayhaqi, Vol. 5, page 117. Any misfortune which befalls people.

<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>3</sup> Narrated by Al-Tabarani, Majma’a Al-Zawai’d, Vol. 8, page 59.

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 51/312.

<sup>5</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 87/1578.

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 84/1575.

<sup>7</sup> However, according to Hanafi School joining prayers, in hajj, is a sunnah rite.



If the day of Arafa falls on a Friday, then Friday prayer is not obligated, because one of its conditions is that participants are local residents. In addition, the Prophet ﷺ did not perform Friday prayer in Arafa even though the day, in which he stood at Arafa, was Friday.

## Sunnas of tawaf around the Ka'ba

1. It is sunna to make the intention of performing the *tawaf of the rite*, by saying: 'O Allah, I intend to circumambulate Your Holy House (Ka'ba) so make it easy on me and accept it from me; I intend seven rounds of tawaf for hajj (or umra).' [134]
2. It is sunna to begin the tawaf by facing the Black Stone, with one's right shoulder in line with that edge of the Black Stone which is towards the Yamani corner. Then to intend to perform tawaf, then one goes alongside the Black Stone while facing it with his body, until his left shoulder is in line with that edge of the Black Stone which is towards the door of the Ka'ba, then he turns (from facing it) so that the Ka'ba is on his left, and proceeds in the direction of the door. This sunna can only be achieved when the area of tawaf is considerably clear, while it is impossible when there are crowds.
3. Prior to tawaf, it is recommended to place one's hands on the Black Stone, and touch one's forehead upon it, then kiss it between one's hands. It is recommended to touch the forehead upon it thrice if possible. Holding the Black Stone (if possible) is sunna prior to each round, and after performing the (sunna) two rak'as of tawaf. If it is not possible to touch the Black Stone, one may point to it from afar with one's hand or a stick and then kiss what he has pointed with. It is also sunna to touch the Yamani corner but not to kiss it. It is not sunna to touch the Shami or Iraqi corners nor to kiss them. The evidence for that is narrated by Ibn Umar رضي الله عنه, he said: "Umar ibn Al-Khattab kissed the Black Stone, and said: 'By Allah I know that you are but a stone, had not I seen Allah's Messenger ﷺ kissing you, I would not have kissed you.'"<sup>1</sup> Also, it is narrated by Abu Dawood and Al-Nasa'i that Ibn Umar رضي الله عنه said: "The Prophet ﷺ never left touching the Yamani corner and the (Black) Stone in each round." He also said: "Abdullah ibn Umar used to do that."<sup>2</sup> Also, Ibn Umar رضي الله عنه said: "I never left touching those two corners, the Yamani (corner) and the (Black) Stone, since I saw the Prophet ﷺ touching them."<sup>3</sup>

When touching the Black Stone in each round and in the first one in particular, it is sunna to say: "In the name of Allah; Allah is Greatest, and His is the praise. O Allah, out of faith in You and to affirm Your book, to fulfill Your covenant, and to follow the sunna of our master: Your Prophet Muhammad ﷺ." [135]

Touching and kissing are not sunna for women unless the area of tawaf is empty, or at nighttime.

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 41/248.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 48/1876.

<sup>3</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 40/245.

4. To make tawaf on foot unless there is an excuse, such as an illness or the like. Umm Salama رضي الله عنها said: "I informed Allah's Messenger ﷺ that I was ill. So he said: 'Perform the tawaf riding, behind the people.'" <sup>1</sup> Some (scholars) believe that it is permissible to perform tawaf riding for no excuse. Jaber رضي الله عنه said: "In the farewell hajj, the Prophet ﷺ performed tawaf around the House riding his camel and touched the Stone with his crook, so that he could be seen by the people and overlook them, and be asked by the people since their crowds over-whelmed him." <sup>2</sup> In a narration by Ibn Abbas رضي الله عنه, he said: "In the farewell hajj, the Prophet ﷺ performed tawaf while riding a camel and touched the corner with a crook." <sup>3</sup>
5. It is sunna, for men only, in the first three rounds of tawaf to go at a *trot* (ramal) provided that tawaf is followed by the obligatory sa'i. In the last four rounds of tawaf, it is sunna to proceed at one's normal pace. Ibn Abbas رضي الله عنه said: "The Prophet ﷺ and his companions arrived at Mecca weakened by the *fever of Yathrib* (Medina). The disbelievers said: 'Tomorrow, people who are weak and exhausted from the fever will come,' so they sat behind the Hijr (to watch). The Prophet ﷺ ordered them (his companions) to trot for three rounds and walk between the two corners so that the disbelievers could see their strength. The disbelievers said: 'Are those whom you claimed to have been weakened by fever? Verily they are much stronger than such and such.'" <sup>4</sup> Also, Ibn Umar رضي الله عنه said: "The Prophet ﷺ went a trot, from the Stone to the Stone, thrice and then walked four times." <sup>5</sup> It is sunna to say while trotting: "O Allah, make this a righteous hajj (or umra), a forgiven sin, a rewarded effort, and a transaction that will never perish. O All-powerful and Oft-forgiving one," [136] and to say in the last four rounds: "My Lord, forgive me, show me mercy, and pardon that which You know. Verily You are the All-Powerful and the Most Generous. Our Lord, give us what is good in this world and the next, and keep us from the torment of Hell." [137]
6. It is sunna, for men and boys only, in the rounds of tawaf in which trotting is sunna, to *bare the right shoulder* (iddiba'), i.e to put the center of one's rida' under the right arm and its two ends over the left shoulder (so that the right shoulder is left bare). Ibn Abbas رضي الله عنه narrated "That the Prophet ﷺ and his companions entered ihram for umra at Je'errana, then they trotted around the House and put their rida's under their armpits and threw them over their left shoulders." <sup>6</sup> Baring the right shoulder is called for in all rounds, though trotting it is only called for in the first three. It is not sunna to bare the right shoulder when performing the two rak'as of tawaf because this is makrooh in prayer.

As for women, they should neither trot nor bare the right shoulder.

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 63/1540.

<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 42/254.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 57/1530.

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 39/240.

<sup>5</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 39/233.

<sup>6</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 50/1884.

7. Drawing near to the Ka'ba, for men, because this makes touching and kissing (the Stone) easier. However, if drawing near will cause a person harm or will harm others then staying at a distance is better.
8. It is sunna not to talk except of what is good, such as teaching one who does not know and the like. Abu Hurayrah رضي الله عنه narrated that he heard the Prophet ﷺ saying: "He who makes tawaf around the House seven times, and does not say anything but: 'Allah is exalted above any limitation or imperfection, praise be to Allah, there is no god but Allah, Allah is Greatest, there is no power or strength except through Allah,' [138] will have ten of his bad deeds erased, ten virtuous deeds added, and will be raised up ten levels."<sup>1</sup>

Eating, drinking, placing one's hand in one's mouth for no reason, clasping one's fingers and cracking one's knuckles, are all makrooh while doing tawaf. Let one perform tawaf with a fully attentive heart and courteous behavior.

9. To say<sup>2</sup> as he passes the door of the Ka'ba: "O Allah, verily the House is Your house, the sanctuary Your sanctuary, the safety Your safety, and this is the Site of he who took refuge in You from fire," [139] pointing to the Site of Ibrahim عليه السلام.

At the Iraqi corner, one says: "O Allah, I take refuge in You from doubt, from ascribing partners to You, from discord, hypocrisy, evil traits, and from bad turns of fortune in my spouse, money, and children." [140]

Under the waterspout (mizab), one says: "O Allah, shade me under Your shade on the Day when there is no shade but Yours. Give me a drink from the cup of our master Mohammad ﷺ a wholesome and pleasant drink after which I will never thirst, O Lord of Glory and Honor." [141]

Between the Shami and Yamani corners, one says: "O Allah, make this a pious hajj, a rewarded effort, an accepted work, and a transaction that will never lose, O All-Powerful and Oft-Forgiving One." [142]

Between the two Yamani corners, one says: "Our Lord, give us what is good in this world and the next, and keep us from the torment of Hellfire." [143]

It is sunna to do lots of du'a and to uplift one's hands in all of one's tawaf, especially when seeing the Ka'ba. The best du'a are the ones reported by the Prophet ﷺ, then reciting (the Holy Quran), then any other du'a. It is sunna to make them to oneself (silently).

10. Quick succession and continuity of the rounds of tawaf. However, one may interrupt his tawaf for an urgent need and then, after having finished his need, continue from where he had left off. It has been narrated that Ibn Umar رضي الله عنه was doing tawaf around the House and when the prayer began he prayed with the imam then continued his tawaf from where he had stopped<sup>3</sup>. If one does what nullifies

<sup>1</sup> Ibn Maja, Vol. 2, The Book of Rites, Chapter 32/2957.

<sup>2</sup> Most of the known du'a in hajj are not related to the Prophet ﷺ, but were favored by the righteous *early Muslims*, and have been narrated from many scholars and righteous Muslims, so it is recommended to say such du'a.

<sup>3</sup> Fat'h Al-Bari, Vol. 3, The Book of Hajj, Chapter 68, page 484.

wudu while doing tawaf, he makes wudu and continues from where he left off. If a funeral arrives during one's tawaf then proceeding with one's tawaf is worthier.

11. To pray two rak'as after each complete tawaf, be it a pillar (ruk'n), an obligatory (wajib), or non-obligatory (nafl). In the first rak'a, one recites sura Al-Kafirun, and Al-Ikhlaas in the second. One recites the suras aloud in these two rak'as if performed during the night, or after dawn and before sunrise, and recites them to himself if performed during the day. They are best prayed behind the Site of Ibrahim, then, in the Hijr of Isma'il, then, in any part of Al-Masjid (Al-Haraam), then, anywhere in the Sacred Precinct of Mecca, or whenever and wherever one wishes to pray them. These two rak'as can be prayed until the day one dies. An obligatory, or any non-obligatory prayer, serves instead of the two rak'as after tawaf. After one finishes them, it is sunna to say the supplication of Adam ﷺ: "O Allah, You know what I conceal and what I disclose, so accept my apology, and You know my need so give me what I ask, and You know what is in my heart so forgive my bad deeds. O Allah I ask You a faith which touches my heart, and a true belief so that I know that whatever happens to me is what You have written for me, and allow me to accept what You have destined for me." [144]

After finishing prayer it is recommended to go back to the Black Stone and touch it then exit through the Safa door to go between Safa and Marwa.

## Sunnas of sa'i

1. Purity from both hadath and najasa, and covering one's awra. If one goes between Safa and Marwa while in a state of minor hadath, janaba (major hadath), menstrual or postnatal period (if a woman), carrying najasa, or not covering the awra then his sa'i is valid without any disagreement among the scholars. Aisha ؓ narrated that the Prophet ﷺ said to her when she was menstruating: "Perform all the ceremonies of hajj like other pilgrims, but do not perform tawaf around the House until you get pure."<sup>1</sup>
2. To bare the right shoulder- for men only.
3. To climb upon Safa and Marwa as high as the height of a person then to stand up facing the qibla, because the Prophet ﷺ climbed them both till he saw the House. In a hadith about the manner of the Prophet's ﷺ hajj, Jaber ؓ said: "Then he left through the door heading for Safa, and when he reached Safa he read: '*Safa and Marwa are of Allah's rites*, so I begin from where Allah has begun.' So, he ﷺ began at Safa, climbed it until he saw the House, looked towards the qibla, and said: 'There is no god but Allah and He is Greatest,' and then he said: 'There is no god but Allah alone, without partner. His is the dominion, His is the praise, and He has power over everything. There is no god but Allah alone, He kept His promise, gave

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 80/1567.



**Sa'i: Going between Safa and Marwa .  
( The arrows indicate the two green markers )**

His slave victory, and defeated the Ahzab alone.' [145] Then he supplicated after that, repeated that thrice, then he went down to Marwa."<sup>1</sup>

4. To go between Safa and Marwa on foot, though it is permissible to be riding, for Jaber رضي الله عنه said: "In the farewell hajj, the Prophet ﷺ performed tawaf around the House and went between Safa and Marwa while riding his camel, so that he could overlook, be seen by, and be asked by the people because he was over-whelmed by their crowds."<sup>2</sup>
5. To walk at the beginning and the end of sa'i, and run in between. Hence, one begins by walking from Safa at one's normal pace until he is within six thira' (about 3m) of the *first green marker* suspended from the left wall. Here one runs until he is midway to the *second green marker* suspended from Al-Abbas house, at which point he resumes his usual pace until he reaches Marwa<sup>3</sup>. Jaber رضي الله عنه narrated: "... Then he went down towards Marwa until his feet reached the base of the valley, here he ran, and when his feet started climbing he walked till he reached Marwa. Then he did on Marwa the same thing."<sup>4</sup>
6. To make du'a while going between Safa and Marwa. One may say, when running between the two green markers: "My Lord, forgive, show mercy, and overlook that which You know. Verily You are the Most Powerful and the Generous. O Allah, make this a pious hajj (or umra), a forgiven sin, a rewarded effort, and a transaction that will never lose, O All-powerful and Oft-forgiving One." [146]

Also, to say thrice after each round: "Allah is Greatest, Allah is Greatest, Allah is Greatest, there is no god but Allah, Allah is Greatest, Allah is Greatest. His is the praise, Allah is greatest for guiding us, His is the praise for the bounties he has given us. There is no god but Allah alone, without partner. His is the Dominion, His is the praise. He gives life and causes to die, and He has power over everything. There is no god but Allah alone, He kept His promise, gave His slave victory, and defeated the Ahzab (Confederates) alone. There is no god but Allah. We worship none but Him, turning to Him sincerely in our religion, though the unbelievers be averse." [147] Then one may ask for whatever one wishes.

7. Succession and continuity of the laps between Safa and Marwa, and succession and continuity between tawaf and sa'i. However, if the prayer commences one may interrupt his sa'i, pray, then continue from where he had left off. It is makrooh for one going between Safa and Marwa to interrupt his sa'i to talk or for other trivial matters.
8. After one has finished going between Safa and Marwa it is recommended to exit through the Safa door.
9. It is recommended for a woman to perform sa'i during the nighttime, because it is less conspicuous and less likely for her to attract attention.

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 42/255.

<sup>3</sup> Nowadays, there are green fluorescent lights indicating these two markers. The distance between them is about seventy meters.

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

## Sunnas of shaving

1. To delay it until after sacrificing a *voluntary sacrificial animal* (hadi) or another sacrificial animal such as a sacrifice on Eid day. After one has thrown the Jamra of Aqaba, he sacrifices then shaves. Anas ibn Malek رضي الله عنه narrated "That the Prophet ﷺ came to Mina and went to the Jamra and stoned it, then he returned to his residence in Mina and sacrificed. Then, he said to the barber: 'Take,' and pointed first to his right side and then to his left, then people came to him."<sup>1</sup>
2. For someone performing hajj, it is sunna to shave in Mina, for the above mentioned hadith of Anas رضي الله عنه and because Mina is the site for release from ihram. As for one performing umra, it is sunna to shave on Marwa, for it is the site of release from ihram.
3. To face the qibla while shaving the hair.
4. To start from the right side according to the above mentioned hadith of Anas رضي الله عنه.
5. To have the entire head shaved, (for men only). Ibn Umar رضي الله عنه narrated "That the Prophet ﷺ said: 'O Allah, show those who shave their hair mercy.' The people asked: 'O Messenger of Allah, and those who shorten it?' He said: 'O Allah, show those who shave their hair mercy.' The people said: 'O Messenger of Allah, and those who shorten it?' He said: 'And those who shorten their hair.'"<sup>2</sup> However, if a man performs umra a short time before hajj so that if he were to shave his head there would not be enough time for regrowth on the Day of Sacrifice, then, in this case only, it is better to cut the hair rather than shave it.  
As for women, they shorten their hair. Ibn Abbas رضي الله عنه narrated that the Prophet ﷺ said: "Women are not obligated to shave, but to shorten their hair."<sup>3</sup> It is makrooh for a woman to shave her head.
6. It is sunna for a bald man to run a blade over his head.
7. To cut some hair from one's beard and moustache. Ibn Umar رضي الله عنه would remove some hair of his beard and moustache when shaving his head for hajj or umra<sup>4</sup>.
8. To say takbir after shaving.
9. To bury the removed hair.

## Sunnas of spending the Night of Sacrifice at Muzdalifa

1. Ghusl is recommended in Muzdalifa.
2. It is sunna, for the traveller only, to join Maghrib and Isha prayers in the time of the Isha prayer at Muzdalifa.
3. It is recommended to collect the pebbles for throwing the Jamra of Aqaba from Muzdalifa. Al-Fadl ibn Abbas رضي الله عنه said: "On the Day of Sacrifice the Prophet ﷺ said

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 56/323.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 126/1640.

<sup>3</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 79/1985.

<sup>4</sup> Al-Muatta', Vol. 1, The Book of Hajj, Chapter 61/187.

to me: 'Go and collect some pebbles for me,' so I collected some pebbles like those used for stoning, and put them in his hands. He said: 'With ones like these, with ones like these. Beware of exaggeration, for truly exaggeration in religion destroyed the people before you.'<sup>1</sup>

4. It is sunna for pilgrims, except women and weak people, to wait until they pray Fajr at the beginning of its time, then move on while doing talbiya and takbir, until they reach Al-Mash'ar Al-Haram (the Sanctuary Landmark<sup>2</sup>) where they stop (next to it, or upon it) keeping themselves occupied with du'a and asking Allah's forgiveness until the break of light. Then they move on to Mina. In the hadith about the manner of the Prophet ﷺ hajj, Jaber رضي الله عنه narrated: "... He came to Muzdalifa and prayed in it Maghrib and Isha with one athan and two iqamas, and he did not say tasbeeh<sup>3</sup> between them. Then, the Prophet ﷺ lay down till dawn, and he prayed Fajr when it was clear, with one athan and one iqama."<sup>4</sup> In the continuation of the same hadith: "... The Prophet ﷺ rode Al-Qaswa' (his camel) until he reached Al-Mash'ar Al-Haram where he faced the qibla and supplicated, did talbiya (saying "Ever at Your service"), takbir (saying "Allah is Greatest"), and tahlil (saying "There is no god but Allah alone"). He remained standing there until the light of dawn was bright and went forth before sunrise."
5. It is recommended when going forth from Muzdalifa to proceed with tranquility and peace, for Jaber رضي الله عنه narrated that the Prophet ﷺ used to say when going forth from Arafat: "O People, serenity, serenity ...."<sup>5</sup> Also, Usamah رضي الله عنه narrated that: "The Prophet ﷺ used to walk slowly and if he found an opening (in the crowd) he would hurry."<sup>6</sup> It is sunna to leave Muzdalifa going to Mina through the valley of Muhssir and to hasten through it and then take the middle path. Jaber رضي الله عنه narrated that: "The Prophet ﷺ came to the base of the valley of Muhssir where he hurried a little and then took the middle path which leads to the Kubra Jamra."<sup>7</sup>

## Sunna acts of stoning

1. To take ghusl every day for stoning.
2. To use pebbles that are the size of a hazelnut. It is makrooh to use large pebbles, even though they count.
3. To wash the pebbles if one suspects that they are not pure (tahir).
4. To draw as close as possible to the stoning site.
5. To face the qibla when stoning, except when stoning the Jamra of Aqaba on Sacrifice Day, in which case one faces the Jamra, placing Mecca on his left and Mina on his right.

<sup>1</sup> Al-Bayhaqi, Vol. 5, page 127.

<sup>2</sup> Which is a hill at the far end of Muzdalifa called Quzah.

<sup>3</sup> To say: "Allah is exalted above any limitation or imperfection."

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>5</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>6</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 91/1583.

<sup>7</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.



6. To cease one's talbiya and do lots of takbir instead.
7. To say with each pebble one throws, lifting both hands: "In the name of Allah, Allah is Greatest, He kept His promise, gave His slave victory, gave glory to his army, and defeated the Confederates alone. There is no god but Allah. We worship none but Him, turning in our religion sincerely to Him, though the unbelievers be averse." [148] Aisha رضي الله عنها said: "The Prophet ﷺ said: 'Tawaf around the Ka'ba, sa'i between Safa and Marwa, and stoning the Jamra, are all done to establish remembrance of Allah.'" <sup>1</sup>
8. To throw the Jamra of Aqaba from the base of the valley. Sulaiman ibn Amr ibn Al-Ahwass narrated that his mother said: "I saw the Prophet ﷺ stoning the Jamra from the base of the valley while mounted and saying takbir with each pebble." <sup>2</sup>

## Sunnas of hajj and umra that are not related to pillars or obligatory acts

1. To perform the arrival tawaf for one who enters Mecca to perform hajj and umra simultaneously or hajj-first, unless he has an excuse. One who enters Mecca to perform umra-first is not obligated to perform the arrival tawaf, but has to perform the umra tawaf immediately.
2. To drink from Zamzam. Ibn Abbas رضي الله عنه narrated that "The Prophet ﷺ went to Zamzam while the people were offering water to others and working hard at it. He said: 'Keep it up, for you are doing righteous work.'" <sup>3</sup> When drinking, it is recommended to face the qibla and say: "O Allah, I have been informed that Your Prophet Mohammad ﷺ said: 'Zamzam is for whatever it is drunk for',<sup>4</sup> and I am drinking it for such and such. O Allah grant it to me." [149] It is also recommended to enter the well and look into it, to take some of its water with a bucket, to sprinkle one's face, head and chest with its water, and to take some of it for one's travel.
3. Four khutbas to be given by the imam of hajj or his deputy, such as the *amir of hajj*. The first khutba, which should be given on the seventh day of Thul Hijja, is comprised of one khutba after Thuhr prayer in Al-Masjed Al-Haram. The khutba should be opened with takbir if the speaker is not in ihram or with talbiya if he is. It is better for the speaker to be in ihram and he should order the people to go forth to Mina the next day. Ibn Umar رضي الله عنه said: "The Prophet ﷺ used to give a khutba before the day of tarwia explaining to people their rites." <sup>5</sup>

The second khutba should be given in Namira<sup>6</sup> on the day of Arafa, before Thuhr prayer. It is comprised of two parts, one before the athan, and the second when the

<sup>1</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 51/1888.

<sup>2</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 78/1966.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 74/1554.

<sup>4</sup> Narrated by Al-Bayhaqi from Jaber رضي الله عنه, Vol. 5, page 148.

<sup>5</sup> Al-Bayhaqi, Vol. 5, page 111, tarwia day is the 8th of Thul-Hijja.

<sup>6</sup> Namira is a well known place near Arafat. It is situated outside Al-Haram between its border and the border of Arafat.

muezzin starts calling for prayer. Jaber رضي الله عنه narrated "That the Prophet ﷺ gave a khutba on the day of Arafa and said: 'Your blood and your money are forbidden upon you ...,' to the end of his khutba. He said: Then prayer was called for, then he called the iqama and prayed Thuhr, then he called the iqama and prayed Asr, and he did not perform any prayer in between, then the Prophet ﷺ rode until he reached the standing place (Arafa)."<sup>1</sup>

The third khutba should be given in Mina on the Day of Sacrifice, and is comprised of one khutba after Asr prayer. Ibn Abbas رضي الله عنه narrated that "The Prophet ﷺ gave a khutba to the people on Sacrifice Day, and said ..., " and he mentioned the rest of the hadith<sup>2</sup>.

The fourth khutba should be given in Mina on the day of the first mass departure (nafr), and is comprised of one khutba after Thuhr prayer. Ibn Abu Najih narrated through his father that two men from Bani Bakr said: "We saw the Prophet ﷺ giving a khutba on the middle day of the Days of Tashriq and we were by his camel."<sup>3</sup>

In all the above mentioned khutbas, the speaker should instruct the people in the acts of hajj that follow each khutba.

4. To spend the night of Arafa in Mina. This is sunna to allow the pilgrim to rest, whereas spending the Tashriq Nights is obligatory as mentioned before.
5. To do talbiya when changing from one state to another, such as when mounting (boarding one's vehicle), going uphill or downhill, or with the coming of the night or day. The most stressed of these is when one makes ihram. When doing talbiya, men should raise their voices, while women should not unless no non-mahram men can hear them. If one cannot do talbiya in Arabic then he should do so in his language, for it is permissible to translate it. It is not sunna to do talbiya during tawaf or sa'i. Also, it is sunna to cease talbiya when starting to stone the Jamra of Aqaba, and to do takbir with every pebble one throws instead.
6. It is sunna to perform the acts of hajj, on the night of Eid and its day, in the following order: Stone the Jamra of Aqaba, sacrifice (if one wants to or needs to), shave, then perform the going-forth tawaf. If one performs the tawaf first, sacrifices first, or shaves before sacrificing, it is permissible with no disagreement between scholars. Ibn Abbas رضي الله عنه narrated "That the Prophet ﷺ was asked about sacrificing, shaving, stoning, and doing one before or after the other, and he said: 'There is no restriction (in doing so).'"<sup>4</sup>
7. To increase in prayer and tawaf, and to make the intention of i'tikaf in Al-Masjid Al-Haram everytime one enters it.
8. To enter the Ka'ba and pray inside it, two rak'as at least, even if a non-obligatory (nafl) prayer. Ibn Umar رضي الله عنه narrated that: "The Prophet ﷺ went into the House

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 19/147.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 131/1652.

<sup>3</sup> Abu Dawood, Vol. 2, The Book of Rites, Chapter 71/1952.

<sup>4</sup> Muslim vol. 2, The Book of Hajj, Chapter 57/ 334.

together with Usama ibn Zaid, Bilal, and Uthman ibn Talha, and closed the door behind them, and when they opened (it) I was the first to enter and I met Bilal so I asked him: 'Did the Prophet ﷺ pray inside (the Ka'ba)?' He said: 'Yes, between the two Yamani pillars.'"<sup>1</sup>

9. To pray two rak'as after the tawaf of farewell behind the Site of Ibrahim عليه السلام, then to stand at the Multazam<sup>2</sup> and supplicate and say: "O Allah, the House is Your House, the servant is Your servant and son of Your two servants. You have carried me on what You have made submissive to me of Your creatures, that You allowed me to travel in Your lands, and showed me Your grace that I might fulfill Your rites. If You are pleased with me then be the more so, and if not, then bless me now before my residence grows far from Your House and my visit becomes distant. Now is the time I depart if You permit me, I seek none but You and no other than Your House, and am not averse to You or Your House. O Allah, give me good health in body and protect me in my religion. Make my affairs turn out well and grant me obedience to You as long as You allow me to live." [150] Then one blesses the Prophet ﷺ, and leaves to his own country from the south of Mecca so that the last thing he sees is the Ka'ba.
10. To visit the tomb of the Prophet ﷺ for Nafe' narrated through Ibn Umar رضي الله عنه that The Prophet ﷺ said: "Whoever visits my tomb deserves my mediation."<sup>3</sup> It is also recommended to pray in the Prophet's ﷺ mosque. It is narrated by Abu Hurayrah رضي الله عنه that the Prophet ﷺ said: "A prayer in my mosque is better than a thousand prayers in any other mosque save for Al-Haram mosque."<sup>4</sup> Also, Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "No one should set out for travel except to three mosques: My mosque, the Haram mosque and the Aqsa mosque."<sup>5</sup>

#### The manners of visiting the noble tomb of the Prophet ﷺ

On the way to visit Medina one should bless and greet the Prophet ﷺ often throughout the journey. It is recommended to make ghusl, wear one's cleanest clothes, and bring to one's mind the honour of Medina, and that it is the best place on earth after Mecca. When one is at the door of the Prophet's ﷺ mosque, he should say the du'a recommended for entering any mosque. Fatima, the Prophet's ﷺ daughter, said: "The Prophet ﷺ used to say when entering the mosque: 'In the name of Allah, peace be upon the Messenger of Allah, O Allah forgive my sins, and open unto me the gates of Your mercy.' [151] When leaving one should say: 'In the name of Allah, peace be upon the Messenger of Allah, O Allah forgive my sins, and open unto me the gates of Your kindness.' [152]"<sup>6</sup> Let one enter with one's right foot first and leave with one's left. Once one enters he should head towards Al-

<sup>1</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 50/1521.

<sup>2</sup> Called as such because people stand at it while supplicating to Allah ﷻ. It is situated between the Black Stone and the door of the Ka'ba.

<sup>3</sup> Al-Darqutni, Vol. 2, page 278.

<sup>4</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 94/506.

<sup>5</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 95/511.

<sup>6</sup> Ibn Maja, Vol. 1, The Book of Mosques and Congregations, Chapter 13/771.

Rawda, which is the place between the tomb and the pulpit (minbar), and pray the two rak'as of greeting the mosque beside the minbar. Abu Hurayrah رضي الله عنه narrated that the Prophet ﷺ said: "Between my house and my minbar is a garden of Paradise, and my minbar is beside my basin,"<sup>1</sup> then he goes to the noble tomb turns his back to the qibla, and faces the wall of the noble tomb, and stands about four thira' opposite the middle window of the setting, bowing one's head in the position of reverent awe and esteem, freeing his heart from wordly matters, summoning to his heart the status of him in whose presence he is, then he greets, without raising his voice, and says: "Peace be upon you, O Messenger of Allah. Peace be upon you, O Prophet of Allah. Peace be upon you, O beloved of Allah. I bear witness that you are truly the Messenger of Allah, you delivered the message, fulfilled the mission, advised the nation, dispelled the grief, cleared the darkness, spoke the wisdom, and fought in the sake of Allah true fighting, may Allah reward you for us the best reward." [153] Then one steps half a meter to the right to greet Abu Bakr Al-Siddiq رضي الله عنه saying: "Peace be upon you, O Abu Bakr, the caliph of the Prophet ﷺ, may Allah reward you for the nation of Mohammad all good." [154] Then one steps again half a meter to the right to greet Umar ibn Al-Khattab رضي الله عنه saying the same words he previously said to Abu Bakr رضي الله عنه. Then one returns to his initial place at the Prophet's ﷺ head and recites sura Yassin, then at his feet where he recites: "It has come unto you a Prophet from amongst yourselves, it grieves him that you should perish, he is anxious over you and to the believers he is most kind and merciful,"<sup>2</sup> [155] then he returns to his place facing the Prophet's head and pleads to Allah ﷻ through the Prophet ﷺ (tawassul).

It is recommended while in Medina to pray all prayers in the Prophet's ﷺ mosque. Also, it is recommended to go to the Baqi' (the cemetery of Medina) everyday, especially on Friday, and say: "Peace be upon you, O dwellers of believing people, and we are by Allah's will following you. O Allah forgive us and them." [156] Aisha رضي الله عنها said: "The Prophet ﷺ - whenever it was her night- used to go out at the end of the night to the Baqi' and say: 'Peace be upon you, O dwellers of believing people, what you have been promised has come to you, until tomorrow we are postponed and we are by Allah's will following you, O Allah forgive the people of Baqi' Al-Gharqad.'" <sup>3</sup>

It is recommended to visit the graves of the martyrs of Uhud, especially on Thursday, starting by visiting Hamza رضي الله عنه first. It is also strongly recommended to visit the mosque of Qiba', especially on Saturday, for Abdullah ibn Dinar narrated "That Ibn Umar رضي الله عنه used to come to Qiba' every Saturday, and would say: 'I saw the Prophet ﷺ come to it every Saturday.'" <sup>4</sup> When visiting Qiba' mosque, one intends to come nearer to Allah through his visit. In addition, it is recommended to pray in it, for Ibn Umar رضي الله عنه

<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 92/502.

<sup>2</sup> Al-Tawbah, 128.

<sup>3</sup> Muslim, Vol. 2, The Book of Funerals, Chapter 35/102. Baqi' is the graveyard of the people of Medina. Gharqad is a type of tree that used to be there.

<sup>4</sup> Muslim, Vol. 2, The Book Hajj, Chapter 97/520.

said: "The Prophet ﷺ used to come to Qiba' riding or walking and then pray two rak'as there."<sup>1</sup>

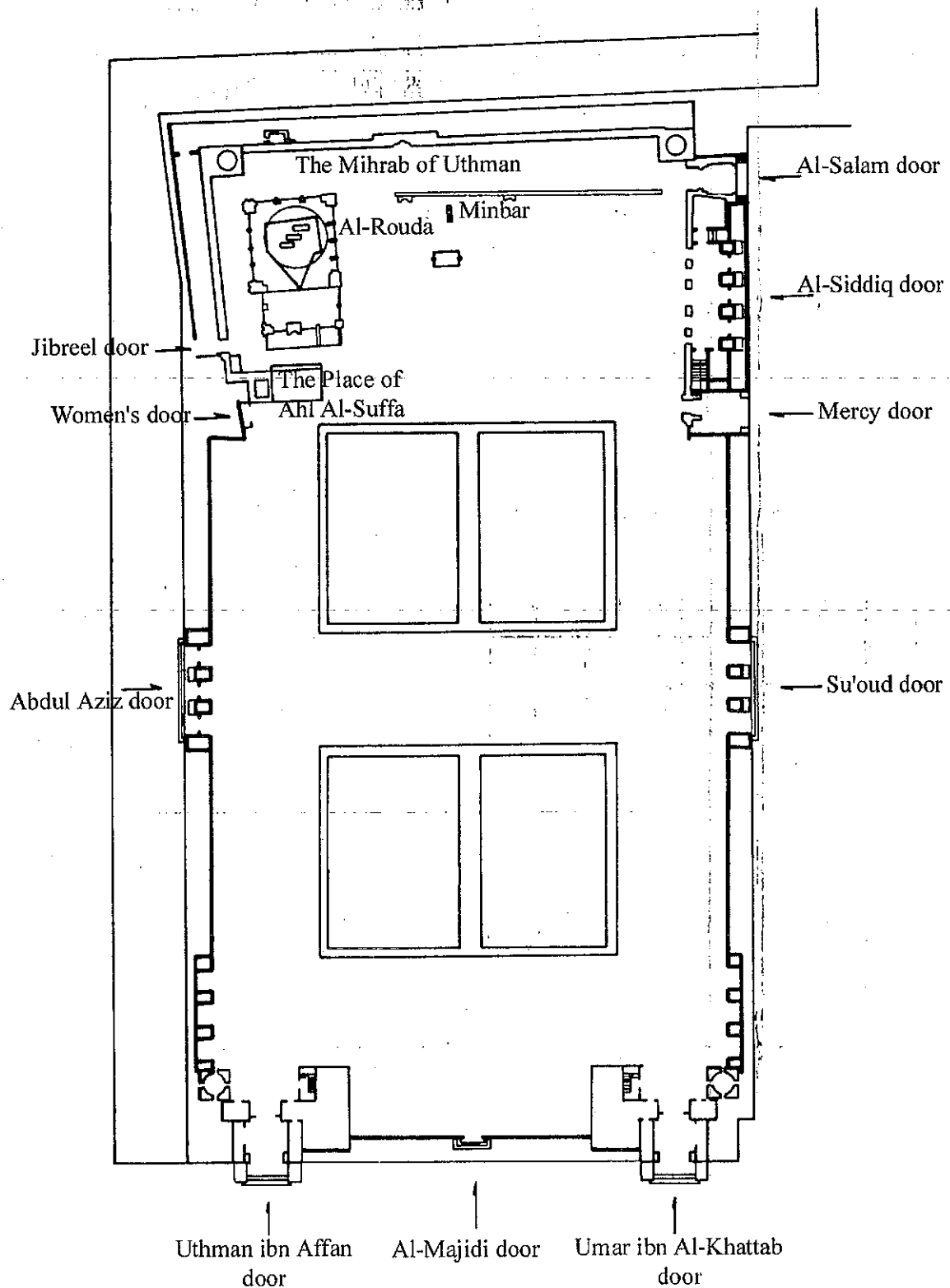
It is recommended to visit the landmarks of Medina, which are about thirty places, known by the people of Medina, so one goes to see as many as he can. One also visits the wells where the Prophet ﷺ used to make wudu or ghusl, which are about seven wells, from which one drinks and makes wudu. While residing in Medina, one should always summon in his heart its greatness, that it is the place which Allah chose for his revelation to descend and for his Prophet ﷺ to travel to and be buried in, and recall the Prophet's ﷺ frequenting and walking in its areas, and the descent of Jibreel (عليه السلام) on him ﷺ. It is recommended to fast in Medina as much as possible and to donate to the neighbors of the Prophet ﷺ for Zaid ibn Arqam (رضي الله عنه) narrated that the Prophet ﷺ said: "I remind you to remember Allah when dealing with my family."<sup>2</sup> When the visitor wants to leave, he says farewell to the mosque by praying two rak'as, approaches the noble tomb, and greets the Prophet as mentioned before.

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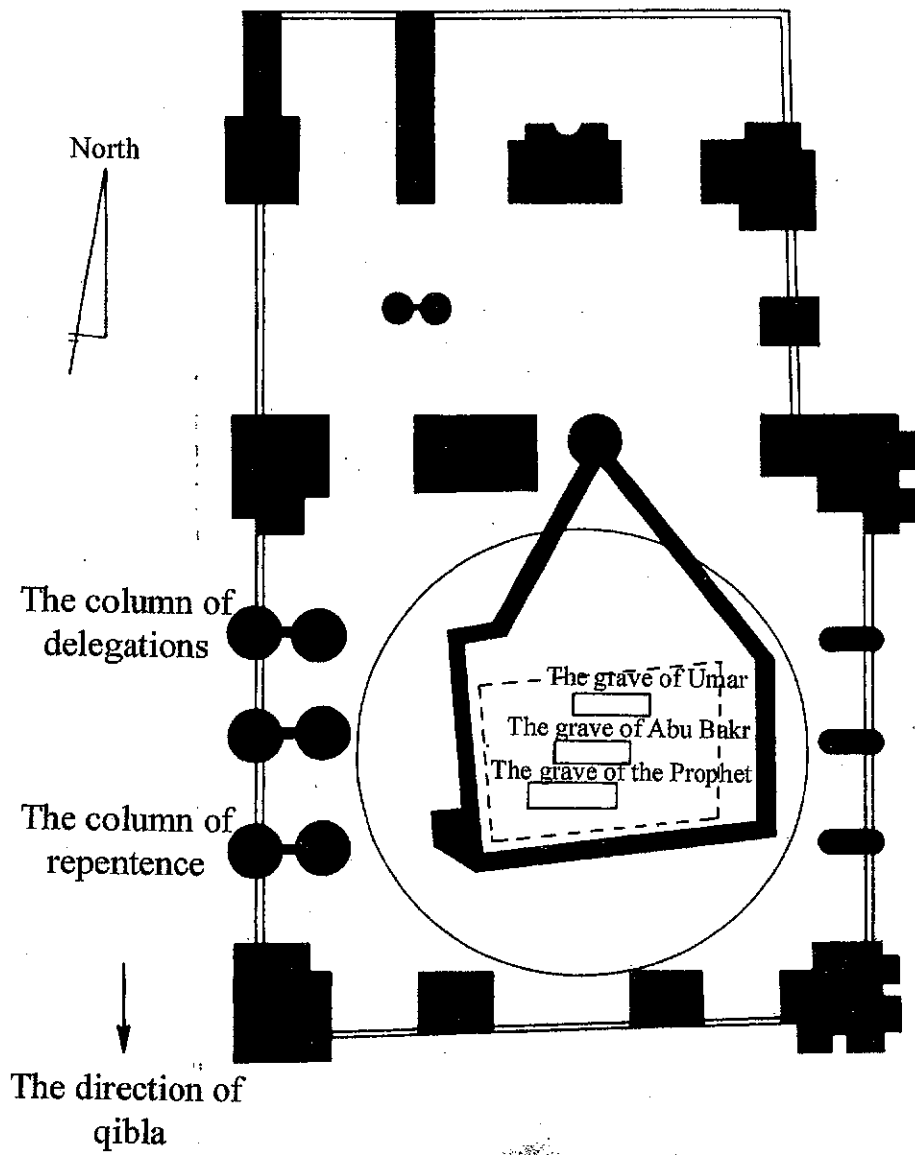
<sup>1</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 97/516.

<sup>2</sup> Musnad Al-Imam Ahmad, Vol. 4, page 367.

# Plan of the Prophet's Mosque



## Plan of the Prophet's Chamber



# RELEASE FROM IHRAM (TAHALLUL)

## Release from ihram in hajj

The release from ihram in hajj has two stages. The first (*partial release*) occurs by doing any two of these three rites, namely: Stoning the Jamra of Aqaba, shaving the hair, and performing the going-forth tawaf<sup>1</sup>. The second (*full release*) occurs when the third rite has been performed.

The first release renders permissible all the things that were forbidden by ihram, except marriage and getting married, mubashara with desire, and sexual intercourse. The second release renders permissible everything else. Ibn Abbas رضي الله عنه said: "When you throw the Jamra you release yourselves from all the things that were forbidden to you, except (those related to) women until you do tawaf around the House."<sup>2</sup> The time for these three rites begins in the middle of the Eve of Sacrifice. The time for stoning the Jamra of Aqaba ends, as for any stoning, with the end of the three Days of Tashriq, while the time for shaving and the going-forth tawaf does not end, with the end of these days.

If one does not stone the Jamra of Aqaba until the end of Tashriq Days, then stoning is missed, and one is obligated to sacrifice, and cannot release himself from ihram until he performs the alternative to stoning.

## Release from ihram in umra

Release from ihram in umra is a single stage, which occurs when all the rites of umra are accomplished. This is because hajj, unlike umra, lasts for a long time and has many rites, therefore the release from ihram in hajj is two stages so that some of the forbidden things are rendered permissible at one time and the rest at a later time.

<sup>1</sup> This is true only if one has performed sa'i (going between Safa and Marwa) after the arrival tawaf, but if he did not then he can only release himself from ihram after performing tawaf and sa'i.

<sup>2</sup> Al-Bayhaqi, Vol. 5, page 136.



# THINGS THAT INVALIDATE AND NULLIFY HAJJ AND UMRA

## What invalidates hajj and umra

Hajj and umra are only invalidated if one, with discretion, deliberately and with full choice has sexual intercourse (with or without ejaculation), while knowing that it is forbidden<sup>1</sup>. This is true if sexual intercourse takes place in umra (in the case of hajj before umra) before one has finished its rites, and in hajj before the first release. In the case of hajj and umra concurrently (qiran), both hajj and umra are invalidated if intercourse takes place before the first release, because umra in this case is attached to hajj, therefore if the hajj is valid then the umra is, and if hajj is invalid then umra is also.

## The conditions of invalidation

1. Having sexual intercourse. However, touching a nongenital area does not invalidate hajj (or umra), for Allah ﷻ says: "If any one undertakes that duty of hajj therein, let there be no sexual intercourse, nor wickedness, nor wrangling in hajj ...."<sup>2</sup>
2. Doing it deliberately. Hence, if one has sexual intercourse absentmindedly, then his hajj (or umra) is not invalidated.
3. Knowing that having sexual intercourse is forbidden and invalidates hajj and umra. Therefore, hajj and umra are not invalidated if one is ignorant and is excused for his ignorance.
4. Doing it voluntarily. Hence, if one is forced then hajj (or umra) is not invalidated.
5. Sexual intercourse must take place before finishing the rites of umra, or before the first release, whether it occurs before or after standing at Arafat<sup>3</sup>. If sexual intercourse takes place after the first release then it is forbidden but it does not invalidate hajj, though one is obligated to sacrifice.

## What must be done by one who invalidates his hajj or umra

1. One should complete the invalidated rite, and should not release himself from ihram until he finishes it. Allah ﷻ says: "Complete hajj and umra for Allah."
2. One should repeat it immediately, even if the invalidated rite is non-obligatory (nafl), because a non-obligatory act becomes an obligatory act once one starts performing it, that is completing it becomes obligatory. When making up for hajj or umra one must enter ihram at the same ihram site as the original (invalidated) hajj or

<sup>1</sup> This invalidates the hajj of both husband and wife.

<sup>2</sup> Al-Baqara, 197.

<sup>3</sup> Hanafi scholars said: If intercourse occurs before standing at Arafat, then hajj is invalidated and one is obligated to sacrifice a *shat*, and if it takes place after standing then it does not invalidate one's hajj though one is obligated to sacrifice a camel. This applies equally to men and women.

umra, or at a site further away (from Mecca) from it. However, one is not obligated to enter ihram at the same time as he did for the invalidated rite.

3. It is obligatory upon the man (not the woman) to sacrifice a camel. The evidence for this is "That a man from Jutham had sexual intercourse with his wife while they were both in ihram, so the man asked the Prophet ﷺ who said to them: 'Complete your rites, sacrifice a hadi, then return, and when you reach the place where you had intercourse then separate and do not see each other. You must perform another hajj, so that you come and when you reach the place where you had intercourse you must enter ihram, complete your rites, and sacrifice again.'"<sup>1</sup>

It is recommended to part from one's wife, in the making up (qada') hajj, in the place they had sexual intercourse in -that is assuming she is with him on this making up (qada') hajj.

## **What nullifies hajj and umra**

Hajj and umra are nullified if one reverts from Islam (becomes an apostate), may Allah grant us refuge, and he is not permitted to proceed in the performance of either because, unlike invalidation, hajj (or umra) is terminated by nullification.

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<sup>1</sup> Al-Bayhaqi, Vol. 5, page 167.

# WAYS OF PERFORMING HAJJ AND UMRA

## The three ways of performing hajj and umra

There are three ways of performing hajj and umra:

1. Hajj before umra (ifrad), which means performing hajj first, so that each of hajj and umra has its own separate ihram and rites.
2. Umra before hajj (tamattu'<sup>1</sup>), which means performing umra first. This way is called as such because one can enjoy, between hajj and umra, doing those things that are forbidden while in ihram.
3. Hajj and umra concurrently (qiran), which means entering ihram with the intention of performing both, or entering ihram for umra first and before commencing its actions, one incorporates into his intention for umra the intention to enter ihram for hajj. Here, the actions of hajj fulfill those of umra, so that one performs the going-forth tawaf and the sa'i only once.

The evidence for the permissibility of these three ways is the hadith narrated by Aisha رضي الله عنها, she said: "We set out with the Messenger of Allah ﷺ in the year of the farewell hajj. Some of us had entered ihram for umra only, some for both hajj and umra, and others for hajj only. The Messenger of Allah ﷺ entered ihram for hajj."<sup>2</sup>

The best of these three ways is hajj-first because it is the manner of the Prophet's ﷺ hajj, then umra-first, then hajj and umra concurrently.

In the case of hajj-first, one enters ihram for hajj first, accomplishes all its actions, releases himself from ihram, then enters ihram for umra by going outside of the Haram even if by the distance of a step, where he enters ihram. If one enters ihram for umra first, then, after finishing its actions and releasing himself from ihram, he enters ihram for hajj at Mecca. This is not ifrad, it is called umra-first (tamattu'). In the case of umra-first, one does not enter ihram for hajj at the ihram site for people of his own country, hence he is obligated to slaughter in penance. Also, when umra is performed before hajj, one can enjoy things, that are forbidden while in ihram, in between release from ihram in umra and the time of hajj (the time of entering ihram for hajj). In the case of performing hajj and umra concurrently, one misses entering ihram for umra at its proper ihram site, because he enters ihram intending both hajj and umra at the same ihram site. Also, one misses all the actions of umra, therefore he is obligated to sacrifice in penance. The fact that it is obligatory to sacrifice in penance in the two

<sup>1</sup> Tamattu' in Arabic means enjoyment.

<sup>2</sup> Al-Bukhari, Vol. 2, The Book of Hajj, Chapter 33/1487.

cases of umra-first and hajj and umra concurrently indicates that hajj-first is better, because penance is an indication of imperfection.

### **The conditions for obligating sacrificing in penance upon one who performs umra-first**

1. One should not be living within the Sacred Precinct (Al-Haram), nor within 81 km (the prayer-shortening distance) of it. Allah ﷻ says: "If any one wishes to continue the umra on to the hajj, he must make an offering (hadi) such as he can afford, but if he cannot afford it he should fast three days during the hajj and seven days on his return, making ten days in all. This is for those whose family is not in (the precincts of) the Sacred Mosque. And fear Allah, and know that Allah is strict in punishment."<sup>1</sup>

People who come and live within or beside the Sacred Precinct, have the same status as its residents with respect to not having to slaughter in penance.

2. One should enter ihram for umra during the months of hajj. Hence, if one enters ihram for umra outside these months and then performs hajj, he is not obligated to slaughter.
3. Hajj and umra must be performed in the same year, which means entering ihram for umra first then for hajj.
4. One must not go back to the ihram site. Hence, sacrifice in penance is not obligatory for one who enters ihram for umra then returns to the ihram site of his umra, or to a similar distance, or to another ihram site even if it is closer to Mecca than the initial ihram site. This is true, whether he returns while in a state of ihram, or after releasing himself from ihram and intending to enter ihram there, provided that he returns to the proper ihram site before commencing any rite, because entering ihram at a place other than the proper site is the reason for sacrificing in penance and this is eliminated when one returns to an ihram site.

### **The conditions for obligating sacrificing in penance upon one who performs umra and hajj concurrently**

1. One should not be a resident of the Sacred Precinct (Al-Haram).
2. One must not return to the ihram site after entering Mecca and before initiating any rites, (before embarking on tawaf even by as little as a single step).

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<sup>1</sup> Al-Baqara, 196.

# IMPEDIMENTS TO COMPLETING HAJJ AFTER INITIATING IT AND THE RELEASE FROM IHRAM FOR ONE WHO IS DETAINED

## Impediments to completing hajj

1. *General prevention*, which occurs when one who has entered ihram for hajj or umra is barred from proceeding to perform its rites by any route, unless by battle (fighting) or giving money. In this case, he may release himself from ihram even if there is plenty of time. The same applies if he is barred from returning. When there is sufficient time, it is better to delay the release from ihram if that does not impose difficulties, just in case the bar is lifted and one can complete hajj or umra. The evidence is that the Prophet ﷺ in the umra of Hudaibia was prevented by the disbelievers from entering the Sacred Precinct so he released himself from ihram at Hudaibiah after making peace<sup>1</sup>.
2. *Specific prevention*, such as being imprisoned unjustly.
3. Wedlock, because it is sunna for a woman not to enter ihram without her husband's consent, otherwise, there will be two conflicting obligations for her: hajj and obeying her husband. A woman is permitted to enter ihram though is recommended to ask for her husband's permission. Nafe' narrated from Ibn Umar ؓ that the Prophet ﷺ said about a woman who was married and had money but whose husband did not allow her to perform hajj: "She must not depart without her husband's consent."<sup>2</sup>  

If hajj is non-obligatory (nafl) then she is forbidden from entering ihram without her husband's consent. If a woman enters ihram without her husband's consent, he has the right to release her from ihram, even if for an obligatory hajj, because his right is immediate while hajj can be done later on. A woman must release herself from ihram if her husband orders her to do so, and he is permitted to have sexual intercourse with her (even if she does not release herself from ihram), in which case she (not he) is sinful.
4. Parent's prevention, such as in the case of a sun who enters ihram without his parent's ( or grand parent's, great grand perant's, and on up<sup>3</sup>) consent. The parent has the right to release him from ihram or prevent him from entering ihram for non-obligatory hajj or umra, but not from an obligatory one. This is true if the sun is not

<sup>1</sup> See Al-Bukhari, Vol. 2, The Book of Ihsaar and the Penalty of Hunting, Chapter 2/1714.

<sup>2</sup> Al-Darqutni, Vol. 2, page 223.

<sup>3</sup> In that order.

Meccan, but if he is then his parents cannot prevent him from obligatory or non-obligatory hajj or umra. Abu Sa'id Al-Khadari رضي الله عنه narrated: "That a man migrated from Yemen to the Prophet ﷺ. He ﷺ asked him: 'Have you got any relatives in Yemen?' He said: 'My parents.' He asked: 'Did they give you permission?' He said: 'No.' Then the Prophet ﷺ said: 'Go back and get their permission, and if they grant it then go for Jihad, otherwise, be righteous to them.'"<sup>1</sup> The point of comparison is that fighting in battle is a collective obligation while hajj is an individual obligation. It is sunna for a son to ask for his parent's permission to perform hajj or umra whether it is obligatory or non-obligatory (nafl).

Parents can prevent their daughter from performing hajj out of fear for her, even if she gets her husband's consent, unless she is accompanied by her husband in which case they cannot do so.

5. Debt, because a creditor of a current debt which is due can prevent the indebted who is able to pay his debt from leaving until he pays him back, but he cannot release him from ihram. Contrary to that, if the debt is not yet due, or it is due but the debtor is unable to pay, then his creditor cannot prevent him, because the debt does not have to be paid straight away.
6. Conditional ihram. If one enters ihram with the condition that he can release himself from it for a reasonable excuse, such as illness or loss of expenses, he is permitted to release himself from ihram if that occurs. Ibn Abbas رضي الله عنه narrated "That Douba'a bint Al-Zoubair ibn Abdul Muttaleb رضي الله عنه came to the Prophet ﷺ and said: 'I am a woman weighed down (with illness), and I want to perform hajj, so what do you order me to do?' He said: 'Enter ihram for hajj on the condition that you will break your ihram wherever you are hindered.'"<sup>2</sup> The condition stipulated here restricts the permissibility of release from ihram to falling ill. Hence, if one does not impose a condition then he cannot release himself from ihram if he falls ill. If one imposes the condition that he will sacrifice upon releasing himself from ihram then he is obligated to do so, otherwise he is not.

## Release from ihram for someone detained

A prevented or detained person can release himself from ihram in hajj or umra by sacrificing a *shat* that meets the requirements of a sacrificial animal or what replaces it (such as one seventh of a camel, or one seventh of a cow), then shaving, and intending release from ihram when sacrificing and shaving. Ibn Umar رضي الله عنه narrated: "We set out with the Prophet ﷺ to perform umra, and the disbelievers of Quraish prevented us from reaching the House. The Messenger of Allah ﷺ sacrificed a camel and had his head shaved."<sup>3</sup> It is important to delay shaving until after sacrificing. Allah ﷻ says: "And do not shave your heads until the offering reaches the place of sacrifice."<sup>4</sup> If one

<sup>1</sup> Abu Dawood, Vol. 3, The Book of Jihad, Chapter 33/2530.

<sup>2</sup> Muslim, Vol. 2, The Book of Hajj, Chapter 15/106.

<sup>3</sup> Al-Bukhari, Vol. 2, The Book of Ihssar and the Penalty of Hunting, Chapter 4/1717.

<sup>4</sup> Al-Baqara, 196.

is unable to sacrifice, he must give the value of a *shat* in food (as charity to the poor), and if unable to give food, one fasts a number of days equal to the number of mudds (0.51 liters of wheat) that would have been given. One should slaughter a sacrificial animal in the place he has been detained, but may fast wherever he wishes. Release from ihram is dependent on slaughtering or donating food, but not on fasting because it takes a long time.

One who is prevented from performing hajj or umra is not obligated to make it up unless this hajj or umra is an *established*<sup>1</sup> obligation such as the obligatory hajj of Islam, a vow, or a make-up (qada'). In this case, one remains liable and being prevented/detained does not exempt him from the obligation to perform it later.

If one's hajj or umra is not an established obligation, then the ability to perform hajj (or umra) is considered anew when the prevention is lifted.


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<sup>1</sup> The obligation becomes established (one is held liable to it) one year after being able to perform hajj.

## MISSING HAJJ

### The legal status of leaving out a pillar (rukn), other than standing in Arafa, an obligation (wajeb), or a sunna

Hajj is missed if standing at Arafa is missed, whether or not one has an excuse. In the first case, one does not sin, while in the latter he has sinned. Hajj is missed if the dawn of Sacrifice Day breaks before one is present in Arafa. One who misses standing at Arafa must:

1. Release himself from ihram by performing the actions of umra, with the intention of release from ihram not performing umra, in each of its actions (be it tawaf, sa'i, or shaving). If one has already performed sa'i after the arrival tawaf then that is sufficient. As for the arrival tawaf, it does not stand for the tawaf of the *release umra*. Such an umra does not stand for the obligatory umra of Islam. Al-Aswad narrated: "I asked Umar  about one who misses hajj. He said: 'He should enter ihram for umra, and then he has to perform hajj the following year.'"<sup>1</sup> And in a narration by Idris Al-Awdi: "And he said: 'And slaughter.'"<sup>2</sup> Stoning and spending the night (in Muzdalifa) are not obligated because they are related to standing at Arafa.
2. Make it up immediately the following year, whether the hajj one missed was obligatory or non-obligatory. If one is unable to make it up then he is held liable for it until he makes it up. However, if he missed it because of being prevented and detained then he is not obligated to make it up, as mentioned above.
3. Sacrifice in penance during the make-up (qada') hajj as one does when performing umra before hajj.

All the above applies to one who enters ihram for hajj only and then misses it. If one enters ihram for umra, then he does not miss it, because umra has no time limit. As for one who enters ihram for umra before hajj, completes umra, enters ihram for hajj, and then misses the hajj, he is obligated to make up for hajj but not for umra, and he is not obligated to sacrifice in penance for performing umra before hajj. This is because the reason for sacrificing in penance when performing umra-first is that hajj and umra are performed in the same year during the months of hajj but in this case they are not. If one enters ihram for hajj and umra concurrently (qiran) and then misses standing at Arafa, he misses his umra and his hajj, because umra here is incorporated in hajj and

<sup>1</sup> Al-Bayhaqi, Vol. 5, page 175.

<sup>2</sup> Al-Bayhaqi, Vol. 5, page 175.



both are performed with a single ihram and cannot be divided. In this case, one must make up for hajj by performing hajj and umra concurrently, and sacrifice in penance three times<sup>1</sup>. If one makes up for hajj in the hajj-first (ifrad) manner then this is sufficient and he is not obligated to sacrifice a third penance.

If one misses a pillar (rukn) of hajj other than standing at Arafah, then he should not release himself from ihram until he accomplishes the missed pillar. To sacrifice in penance is not sufficient and does not stand for any missed pillar (like tawaf, sa'i, or shaving) which should be made up later, and upon which there is no time limit. Shaving is not restricted to Mina nor to the Sacred Precinct, and it can be done at home or any other place.

It does not matter whether one misses a pillar intentionally, absentmindedly, out of ignorance, or for an excuse. For example, if a woman, coming to Mecca from a far away country, gets her menstrual period before performing the going-forth tawaf and she fears that she may be left behind by her travel group, then she can leave. If she reaches a place from which she cannot return to Mecca then she can release herself from ihram (like a prevented person) by sacrificing and cutting hair, with the intention of release from ihram. Tawaf will remain in her liability with no time limit for making it up. Thus it is valid at any time of the year, and does not necessitate ihram. If she resides in Mecca or nearby, she should stay in a state of ihram even if for a long time<sup>2</sup>, until she performs tawaf, during which time she abstains from anything forbidden while in ihram.

One who intentionally, absentmindedly, or out of ignorance does not perform an obligatory act (wajib) of hajj or umra or does a thing that is forbidden while in ihram, is obligated to sacrifice in penance as compensation, and his hajj (or umra) is still valid. One who intentionally does not perform an obligatory act is sinful while the others are not.

One who does not perform a sunna act of hajj or umra is not obligated to do anything, and his hajj (or umra) is valid, though it may be recommended to sacrifice in penance for not performing it, such as the sunna of combining day and night when standing at Arafah.

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<sup>1</sup> The first penance for missing hajj, the second because the missed hajj was to be performed in the 'hajj and umra concurrently' manner, and the third for making up for the missed hajj in the 'hajj and umra concurrently' manner.

<sup>2</sup> A woman during her menstrual period can follow Imam Abu Hanifa's school, so she can perform tawaf during her period, and she sacrifices a camel in penance.

# THE OBLIGATORY PENANCE IN HAJJ AND UMRA (FIDYA)

Generally speaking, penance that are obligatory in hajj or umra, whether leaving out an obligatory act or doing a forbidden act, refer to sacrificing a *shat*. If the obligatory penance is something else, such as sacrificing a camel (for having sexual intercourse) then it is specified. In all of them, only what meets sacrificial specifications fulfills the penance, except for the penance of hunting where 'the like' fulfills the penance. That is to slaughter a small animal if the animal that was killed is small, and a large one if the animal that was killed is large.

Whoever is obligated to sacrifice a *shat* can sacrifice a cow or a camel instead, except in the case of the hunting penalty. If one slaughters a camel or a cow with the intention of giving one seventh of it to charity instead of the *shat* that was to be slaughtered, and eats the rest, then it is valid. One can slaughter a camel instead of seven *shat*. If a group of people, some intending voluntary sacrifice, some intending the sacrifice of Eid, and others intending to eat the meat, join together and slaughter a camel or a cow then this is valid. Two people cannot join together in two *shat*, because they can be done separately. There are four categories of obligatory penance as explained in the following sections.

## The penance that has predetermined ordered alternatives

Ordered alternatives mean that one is obligated to sacrifice and should not opt for another alternative (unless he is unable to). A predetermined alternative means that the law defines an equivalent alternative, no more or less, for what one is unable to fulfill. The penance is a *shat* meeting sacrificial specifications, meaning a one-year old *shat*, a one-year old sheep which has lost its front teeth at the age of six months, or a two year old goat, provided that it is free of defects. If one is unable to find an animal, or finds it for more than the going price of similar animals, or cannot afford it, or is in need of the money, or has *distant money*<sup>1</sup>, then he must fast for ten days. Allah ﷻ says: "And when you are in peaceful conditions (again), if any one wishes to continue the umra on to the hajj, he must make an offering, such as he can afford, but if he cannot afford it, he should fast **three days during the hajj and seven days on his return**, making ten days in all. This is for those whose family is not in the Sacred Mosque. And fear Allah, and know that Allah is strict in punishment."<sup>2</sup>

<sup>1</sup> Which means that he does not have the money with him in the Sacred Precinct, though he can sacrifice when he goes back to his country, because sacrifice is exclusive to the Sacred Precinct.

<sup>2</sup> Al-Baqara, 196.

“Three days during the hajj” means that one should fast these three days while in a state of ihram in hajj, so that one performing umra-first should not fast them before hajj, contrary to sacrificing in penance which can be done before hajj and after finishing umra. This is because fasting is a physical worship that must not be performed before the reasons which necessitate it take place. Here, there are two reasons for fasting: Performing umra before hajj, and omitting entering ihram for hajj. As for sacrifice in penance it is a financial worship, so it can be done before the reasons that necessitate it take place. Therefore, one should fast these three days before Sacrifice Day, delaying them until later is a sin, and must be made-up for immediately after the Sacrifice and Tashriq Days are over. It is recommended to fast these three days in succession, whether performed or made up. Traveling is not an excuse for not fasting because it must be done during hajj, preferably before (standing in) Arafah, for the pilgrim is recommended not to fast on that day. It is sunna to fast these three days on the sixth, seventh and eighth of Thul Hijja, since one enters ihram before the sixth day, then fasts. This applies to the penance of performing umra-first or hajj and umra concurrently. As for the penance for missing the hajj, non-performance of an obligatory act, or breaking one’s vow, one cannot fast the three days before the Day of Sacrifice and it is not necessary to fast while in ihram, though one must leave an interval between the first three days and the other seven.

“Seven days on one’s return” means to fast seven days when one returns to his country and family. It is recommended to fast these seven days in succession. It is not permissible to fast them while traveling back home, and if one does then they do not count. One is obligated to fast these seven days whether he returns home or wishes to stay in Mecca. If one fails to fast the three days while in hajj, with or without an excuse, he must fast ten days, the three he has missed become a makeup (qada’) and the seven a current performance, and he must leave in between them an interval of four days which are the counterpart of the days of Sacrifice and Tashriq. If one does not leave an interval between them and fasts the ten days in succession, then only the three days count while the other seven do not.

### **The nine reasons which necessitate this type of penance**

1. Performing hajj and umra concurrently.
2. Performing umra before hajj.
3. Not standing at Arafah.
4. Leaving out throwing three pebbles or more.
5. Not spending all the Tashriq Nights<sup>1</sup> at Mina.
6. Not spending the Night of Sacrifice at Muzdalifa.
7. Not entering ihram at the proper site.
8. Breaking one’s vow, such as vowing to walk, ride, or perform hajj as hajj-first, then breaking one’s vow.

<sup>1</sup> For missing one pebble or one night, one pays one mudd, for two pebbles or two nights two mudds. If one is unable to provide food then he fasts one day for one night and two days for two nights.

## 9. Not performing the farewell tawaf.

### **The penance that has predetermined non-ordered alternatives**

Non-ordered alternatives mean that one can go from an alternative to another even when able to fulfill the first. Predetermined means that the law specifies an equivalent alternative, no more or less, for what one is unable to fulfill. The penance is either to sacrifice a shat that meets sacrificial specifications within the Sacred Precinct and distribute it to the poor and those short of money in the Sacred Precinct, fasting three days (even if not successively) wherever one wishes, or to give three sa's<sup>1</sup> of a type of food that can be given as Zakat Al-Fitr, to six of the poor and needy at the Sacred Precinct. Allah ﷻ says: "And do not shave your heads until the offering reaches the place of sacrifice. And if any of you is ill, or has an ailment in his scalp (necessitating shaving), (he should) in compensation either fast, or feed the poor, or offer a sacrifice."<sup>2</sup>

### **The eight things which necessitate this type of penance**

1. Removal of three hairs or more in succession (meaning that the interval between removing each is not considered long).
2. Trimming the nails.
3. Wearing sewn clothing (for men).
4. Using oil.
5. Using perfume.
6. Sexual foreplay (not intercourse).
7. Having sexual intercourse a second time after having already invalidated one's hajj by sexual intercourse.
8. Having sexual intercourse between first (partial) and second (full) release from ihram in hajj.

Sacrifice must be repeated if the same reason is repeated at a different time and place. For example, foreplay more than once occurring at one time and place requires one penance, otherwise more than one.

For removing one hair or one nail, one should give one mudd (0.778 liters) or fast one day. For removing two hairs or two nails, one should give two mudds or fast two days. One penance is obligated for shaving, whether one shaves all his head or just three hairs or part of each, in one place and time. If the time and place is different, then one mudd is obligated for each time. If one removes one hair in three stages at one time and place then only one mudd is obligated, however, if the time and place differs then three mudds are obligated. The same applies to nails.

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<sup>1</sup> i.e.  $3 \times 3.112 = 9.336$  liters.

<sup>2</sup> Al-Baqara, 196.

## **The penance that has pre-estimated ordered alternatives**

This means that the law ordered estimation, and change to another substitute according to its estimated value. One should not move on to a different substitute unless he is unable to fulfill the one preceding it.

### **The two things which necessitate this type of penance**

1. Being prevented from completing hajj or umra, for Allah ﷻ says: "And complete the hajj and umra in the service of Allah. But if you are prevented (from completing it), send an offering for sacrifice, such as you may find."<sup>1</sup> In this case one must release oneself from ihram by slaughtering a shat that meets sacrificial specifications at the place in which he has been prevented, then he shaves. If one is unable to slaughter a shat, he should estimate its value in money, buy with this money a type of food that can be given as Zakat Al-Fitr, and give it as charity where he has been prevented. If one is unable to give food, he fasts one day for each mudd wherever he wishes, and then he can release himself from ihram immediately by removing hair with the intention of release from ihram. Release from ihram is not dependent upon ending the fast unlike slaughtering and giving food.
2. Having invalidated one's hajj or umra by sexual intercourse. One who, knowingly and voluntarily, has sexual intercourse before the first and second release from ihram must slaughter a camel, and if that is not possible, then a cow, and if that is not possible, then seven shats, and if that is not possible, then he estimates the cost of a camel in Mecca, buys food for that amount, and distributes the food to the poor and needy in the Sacred Precinct, even if they are not Meccan. There is no limit to the amount given to each one of them. It is not valid to give money instead. If one is unable to give food, he fasts one day for every mudd, or part thereof. If one finds some food, or is able to buy part, but not all of it then he gives as much as he can, and fasts instead of what he is unable to give.

## **The penance that has pre-estimated non ordered alternatives**

One has the choice between sacrifice, giving food, or fasting.

### **The two things which necessitate this type of penance**

1. Killing forbidden game animals, as in wild land-game that can be eaten by Muslims, anywhere while in ihram, or within the Sacred Precinct if not in ihram. Killed animals are two types:
  - a. Animals that have a domestic livestock counterpart<sup>2</sup>.
  - b. Animals that have no domestic counterpart.

<sup>1</sup> Al-Baqara, 196.

<sup>2</sup> i.e. Similar to it in figure or appearance.

The equivalent for some of these animals was determined by the Prophet ﷺ or his companions.

The obligatory penance for killing land-game which has a livestock counterpart<sup>1</sup>, or which does not have one but whose counterpart was determined by a *text*, is to sacrifice its livestock counterpart<sup>2</sup> and give it away to the poor. It is not valid to give it alive or sacrifice it and leave it, assuming that the poor will take it. Rather, one must sacrifice it and give it away himself. The evidence for that is what Allah ﷻ says: "O you who believe! Kill not game while in the Sacred Precinct or in pilgrim garb. If any of you do so intentionally, the compensation is an offering, brought to the Ka'ba, of a domestic animal equivalent to the one he killed, as adjudged by two just men among you, or by way of atonement, the feeding of the indigent, or its equivalent in fasts: that he may taste the penalty of his deeds. Allah forgives what is past, for repetition Allah will exact from him the penalty. For Allah is Exalted, and Lord of Retribution."<sup>3</sup>

For killing an ostrich, one sacrifices a camel and cannot replace it with a cow or seven shats. For a buffalo or a zebra, one sacrifices a cow, but not seven shats. For a fawn, one sacrifices a small goat, a young male goat for a male and a young she-goat (anaq<sup>4</sup>) for a female. For a buck a billy goat is sacrificed. For a doe, a one year old goat is sacrificed. For a rabbit, a young she-goat (anaq). For a hyena a ram. For a fox, a shat. For a pigeon, a shat. (The pigeon does not have a counterpart, but its penance was determined (by a text) -as such). For an animal which has a counterpart, one can choose between three things:

1. Sacrifice the counterpart and give it to the poor and needy of the Haram.
2. Estimate the value of the counterpart in Mecca with the help of two just men of the people of the Haram on the day he wants to give it out, buy food with its value (or take out from his own food), and give away this food to the poor and needy of the Haram whether or not they are residents.
3. Fast one day for every mudd, or fraction of a mudd, anywhere he wants to.

However, it is not permissible to give away the counterparts's value in money.

For killing that which does not have a counterpart, such as grasshoppers and birds, one should give away its value in food. The value is estimated at the place where he killed the animal not at the Haram, and at the time of destruction not at the time of giving out the value. Alternatively, one can fast one day for each mudd.

2. Cutting trees and uprooting grass in the Sacred Precinct (Haram). One who commits such an act can choose between sacrificing an animal, giving away food, or fasting. In the case of sacrifice, if one cuts a big tree, he sacrifices a one year old cow, and if it is a small tree about one seventh of the big one then he sacrifices a

<sup>1</sup> i.e. Equivalent in figure or shape as much as possible. Hence, a big animal is required for (killing) a big animal, a small animal for a small one, a pregnant for a pregnant, a sick for a sick, and a sound for a sound.

<sup>2</sup> If the animal has an owner, one must pay its value to the owner, as well as to its penance.

<sup>3</sup> Al-Ma'ida, 98.

<sup>4</sup> Anaq: A young she-goat less than one year old.

shat, gives away food equivalent to the value of the would-be sacrificed animal, or fasts as many days as the number of mudds and, in this case, he need not sacrifice.

## **The places for slaughtering obligatory sacrifice**

According to the place of slaughtering, obligatory sacrifices are divided into two categories:

1. Sacrifices that need not be sent to the Haram. These are the sacrifices obligated by prevention, which must be done at the place the prevention occurred and distributed to the people of that place. Yet, it is permissible to send it to the people of the Haram. Similarly, food must be given to the people of the place of prevention but can also be sent to the people of the Haram. As for fasting, one can fast whenever and wherever he wishes, because the people of the place of prevention do not benefit from his fasting.
2. Sacrifices that must be slaughtered in the Haram. These are the sacrifices which are obligated because of leaving one of the obligatory acts of hajj, or committing a forbidden act. These must be sacrificed in the Haram and should be distributed to the poor and needy of the Haram. It is not valid to give it to less than three of the poor and needy, even if they are strangers, and it is not permitted for the one sacrificing to eat any of the meat, or to transfer it to a place other than the Haram, even if he was unable to find any poor or needy persons. For one performing umra, the best place in the Haram to sacrifice the hadi is Marwa (outside, not inside, the mosque) because it is the place where one releases himself from ihram. For one performing hajj, the best place for sacrificing the hadi is Mina, because it is the place where one releases himself from ihram. There is no difference between obligatory, vowed, and non-obligatory (nafl) hadi, because all of it must be done in the Haram. It is not valid to give it alive, rather it should be slaughtered and its meat distributed. As for fasting, it is permitted whenever and wherever one wishes.

# THE SACRIFICE OF EID AL-ADHA (UDDHIA)

## Definition

An uddhia (sacrifice) is what is slaughtered of livestock to gain closeness to Allah ﷻ.

## Its time

The time of the sacrifice starts after Eid prayer on the first day of Eid Al-Adha, and extends until sunset of the last Day of Tashriq. Al-Bara' ibn Aazeb ؓ said: "The Prophet ﷺ delivered a khutba after prayer on the Day of Sacrifice and said: 'Whoever prays our prayer, and performs our rites, has achieved the rite, and if one performs the rite before the prayer then that is just the meat of a shat (i.e. not a sacrifice).'"<sup>1</sup>

It is makrooh in general to sacrifice at night, and it is even more makrooh for an uddhia. Furthermore, all scholars agree that it is not valid to sacrifice before the time. If one vows to sacrifice then he must sacrifice even if he misses the time.

## Its legal status

1. The sacrifice (uddhia) is a confirmed sunna every year, for pilgrims and others, provided one can afford it. Hence, it is not requested from the poor who cannot afford it. It is a collective confirmed sunna, hence, if there are a number of people in one house-hold, only one sacrifice is needed. The evidence that it is sunna has been narrated by Anas ibn Malek ؓ who said: "The Prophet ﷺ used to sacrifice two rams, and I used to sacrifice two."<sup>2</sup> Also, Umm Salama ؓ said: "The Prophet ﷺ said: 'If the first ten days (of Thul Hijja) start and one of you wants to sacrifice, he must not touch any of his hair (cut it) or skin (with perfume).'"<sup>3</sup> The fact that the Prophet ﷺ said: "One of you *wants*" is evidence that the sacrifice is sunna rather than obligatory.
2. The sacrifice becomes obligatory if one vows to do it, or if he singles out a particular animal, such as saying: 'This is a sacrifice,' or 'I make this a sacrifice.' In this case, it is obligatory to sacrifice it on the Day of Sacrifice. If the one he had singled out dies before the time of sacrifice, he is released from sacrificing and does not have to sacrifice another one instead

<sup>1</sup> Al-Bukhari, Vol. 1, The Book of the Two Eids, Chapter 23/940.

<sup>2</sup> Al-Bukhari, Vol. 5, The Book of Sacrifices, Chapter 7/5233.

<sup>3</sup> Muslim, Vol. 3, The Book of Sacrifices, Chapter 7/39.



## Its evidence

In Quran, Allah ﷻ says: "Therefore to your Lord turn in prayer and sacrifice,"<sup>1</sup> meaning pray the Eid prayer, and slaughter your sacrifice.

Also, Aisha ؓ narrated that the Prophet ﷺ said: "No deed is more beloved to Allah on the Day of Sacrifice than the spilling of blood<sup>2</sup> and (this sacrifice) comes on the Day of Judgement with its horns, nails, and wool. And the blood will have a place with Allah Most High before it falls on the ground, so do it willingly."<sup>3</sup> Al-Shafi'i ؒ said: "I do not allow anyone who can afford it to leave it."

And, the consensus of all scholars.

## What is acceptable as a sacrifice

Only camels, cattle, sheep or goats may be slaughtered. Allah ﷻ said: "That they might celebrate the name of Allah over the sustenance He gave them from animals (fit for food)."<sup>4</sup> The best among these is the camel, be it male or female, which can be replaced with seven shats and that is even better, then a cow, then a sheep, then a goat. It is valid for seven persons to share in slaughtering a single camel or cow. In choosing a sheep it is best to choose a white one, then next best is the tawny, then the *dust-colored*, which is one whose whiteness is not pure, then the black and white, then the black, then the red. It has been said that the reason behind the discrimination between different colors is a matter of worship, or it might be due to appearance or the taste of the meat.

## Its conditions

1. A sacrificial camel should be over five full years, a cow or goat over two full years, and a sheep over one full year or has lost its front teeth, because a sheep may lose the front teeth at the age of six months and before reaching its first year. Jaber ؓ narrated that the Prophet ﷺ said: "Do not slaughter but a one year old, unless that is difficult for you then slaughter a sheep that has lost its front teeth."<sup>5</sup>
2. A sacrificial animal should not have scabies (even a little), be severely lame, malnourished, blind, one-eyed, nor afflicted with a disease that might spoil its meat. Namely, it should be free of defects, though it does not harm if its horns are broken off or completely absent. The evidence for all the above is narrated by Al-Bara' ibn Aazeb ؓ who said: "I heard the Prophet ﷺ say: 'It is not valid to sacrifice the

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<sup>1</sup> Al-Kouthar, 2.

<sup>2</sup> The sacrifice of an animal. This sacrifice provides many poor families with their only source of meat. A recent vegetarian movement in the west has been successful in maintaining a healthy diet despite their lack of meat. It should be noted though that such a diet is only healthy as a result of foods and supplements no poor person could ever afford.

<sup>3</sup> Ibn Maja, Vol. 2, The Book of Sacrifices, Chapter 3/3126.

<sup>4</sup> Al-Hajj, 34.

<sup>5</sup> Muslim, Vol. 3, The Book of Sacrifices, Chapter 2/ 13.

one-eyed whose defect is manifest, the lame that has an obvious walking problem, the sick whose infirmity is plain, or the malnourished.”<sup>1</sup>

3. The sacrificial animal should be free of defects that reduce an eaten part, such as missing a part of its ear, tongue, udder, tail, or part of its haunch, and it should not have lost all of its teeth.
4. To intend to sacrifice when slaughtering or before.
5. To abide by the specified time for sacrifice.
6. To give away as charity some of its meat uncooked. Thus, it is forbidden to eat all of it. Allah ﷻ says about the non-obligatory sacrifice driven to hajj (voluntary hadi), which also applies to voluntary uddhia: “Eat from it and feed those who do not beg and those who beg with humility.”<sup>2</sup> The meat must not be cooked or cured, and it is not valid to turn it into a meal and invite the poor to it, because the poor’s right is the possession not eating. It is better for one who sacrifices to eat a little of the liver and give away the rest as charity, though it is permissible to eat a third of the animal, give as charity a third, and give away the last third as a gift to the rich<sup>3</sup>. In such a case one is fully rewarded for the sacrifice and partially rewarded for giving to charity. The minimum to be given as charity is two ouqia (about 400 grams) of meat, not from the liver or the stomach. It is not makrooh to save some of its meat. Yet, it is forbidden to transfer it from the country where it has been sacrificed.
7. One must not sell any of it. Hence, one cannot give the butcher its hide or any part of it as payment, though one can give him some of it or its hide, in addition to his fee, as a gift.

It is makrooh for someone intending to sacrifice to remove any of his hair, cut his nails or moustache, or the like, during the first ten days of Thul Hijja until he sacrifices, though it is not makrooh to have ghusl, for the above mentioned hadith narrated by Umm Salama ؓ. In a narration through another route, Umm Salama ؓ said: “The Prophet ﷺ said: ‘If you see the new moon of Thul Hijja and one of you plans to sacrifice, let him not cut his hair or nails.’”<sup>4</sup>

It is better to do the slaughtering personally if one is good at it, otherwise it is makrooh because he might cause suffering to the animal, in which case he is obligated to have someone who can slaughter properly do it for him, by saying: I authorize you to slaughter my sacrificial animal. It is recommended to be present when the animal is slaughtered, for Umran ibn Hussayn ؓ narrated that: “The Prophet ﷺ said: ‘O Fatima go and witness your sacrificial animal, for you will be forgiven with the first drop of its blood every sin you have committed.’”<sup>5</sup> It is recommended, when

<sup>1</sup> Al-Nasa’i, Vol. 7, page 215.

<sup>2</sup> Al-Hajj, 36.

<sup>3</sup> In the case of a vowed sacrifice, one is not permitted to eat any of it nor give the rich from it, but he should give it all as charity.

<sup>4</sup> Muslim, Vol. 3, The Book of Sacrifices, Chapter 7/41.

<sup>5</sup> Al-Bayhaqi, Vol. 5, page 239.

slaughtering, to direct the animal towards the qibla, say (In the name of Allah), and say (Allah is Greatest).

It must be mentioned here that the Prophet ﷺ prohibited having an animal witness the sacrifice of another. Moreover, he ﷺ ordered the person carrying the sacrifice out to make sure his razor is sharp in order to eliminate pain.

# Glossary of Terminology

- Aal Al-Bayt:** The Muslim relatives of the Prophet ﷺ.
- Abu Al-Qassem:** Father of Qassem. A name of the Prophet ﷺ.
- Abu:** The father of.
- Ahl Al-Ra'i:** Scholars who rely on opinion.
- Al:** An Arabic prefix meaning "the."
- Al-Haram Al-Nabawi:** The mosque of the Prophet ﷺ in Medina.
- Al-Masjid Al-Haram:** The mosque surrounding the Ka'ba in Mecca.
- Al-Wasila:** The name of a special place, in close proximity to the Throne, that Muslims pray for Prophet Muhammad ﷺ to be granted.
- Ameen:** A word that means "Please answer our prayers." It is said after the Fatiha in prayer.
- Arafa:** A plateau fourteen miles east of Mecca.
- Arud:** The science of Arabic poetry and its rhythms.
- Asr:** Afternoon. In reference to prayer, it is the third prayer of the day beginning with the time an object's shadow is twice its length and ending with sunset.
- Athan:** The call to prayer. Prescribed phrases used to announce the times of prayer.
- Aud:** Returning or revisiting. The word 'Eid' is derived from it because it returns each year.
- Awra:** Parts of the body which must be covered.
- Awwabin:** A sunna prayer performed after Maghrib prayer. The minimum of which is two rak'as and the maximum is twenty.
- Ayah:** A unit of Quranic text often referred to as a verse.
- Azm:** Mere intention, not accompanied by action.
- Baraka:** A concept that means great blessing and fruition.
- Baytul-Mal:** The public treasury.
- Dibaj:** Brocade. A thick silk fabric.
- Dinar:** A form of currency.
- Diya:** Blood money – compensation.
- Du'a of tawajjuh:** The opening supplication in prayer preceding the Fatiha.
- Du'a:** Supplication. The act of appealing to and asking of one's Creator.
- Duha:** A time of day extending from shortly after sunrise to shortly before noon. It may also refer to the sunna prayer performed during that time.
- Eid Al-Adha:** A celebration on the tenth day of Thul-Hijja in which Muslims commemorate the story of Prophets Ibrahim and Isma'il coinciding with the completion of the main rites of hajj.
- Eid Al-Fitr:** The first day of Shawal in which Muslims celebrate successful completion of the month of Ramadan.

- Fajr:** Dawn. In reference to prayer it is the first prayer of the day beginning with the break of dawn (approximately an hour and a half before sunrise) and ending with the rising of the sun.
- Fard:** Obligatory – not optional – a must. What one is strictly required to do and is forbidden to refrain from. One who performs it is rewarded while one who refrains from it is punished.
- Fard Ayn:** Individual duty; the performance of which is obligatory for every individual.
- Fard Kifaya:** Collective duty or communal obligation; the performance of which is obligatory for the community. In this case if one member of the community performs it the rest of the community is released from the obligation, and if no one performs the duty then all members of the community are held accountable for not performing it.
- Fatwa:** Legal opinion.
- Fidya:** Penance. A stipulated payment or act that must be paid or done in order to atone for sinful deeds or the non-performance of an obligation.
- Fiqh:** Knowledge of practical legislation developed from detailed evidence.
- Fitra:** The pure innate nature of a human being that guides one to true belief and wholesome deeds.
- Ghusl:** Major ablution. The complete ritual washing that is necessary to remove major hadath.
- Hadath:** A state of ritual impurity which can be either major (which needs ghusl) or minor (which needs wudu).
- Hadi:** Any livestock one designates for sacrifice.
- Hafez:** One who knows the whole Quran by heart.
- Hajj:** Major pilgrimage to Mecca.
- Halaqa:** Study group.
- Hanout:** An aromatic compound of camphor, reed perfume, and red and white sandalwood.
- Harakat:** (Plural for haraka.) Marks that indicate short vowel sounds in modern standard Arabic.
- Haram:** Forbidden. What one must strictly refrain from and is prohibited to do. One who refrains from it is rewarded while one who commits it is punished.
- Hayse:** A type of sweet made of dates, ghee and other ingredients.
- Hijra:** The Muslim lunar year beginning with the Prophet's ﷺ emmigration from Mecca to Medina.
- I'tidal:** straightening up from bowing in prayer.
- I'tikaf:** The voluntary, spiritual seclusion that takes place in a mosque. It is a confirmed sunna during the last third of Ramadan and acceptable any time of year.
- Ibn:** The son of.
- Ibreesam:** A type of silk, that which silkworm died inside and then was removed from.

**Idda:** The period in which a divorced woman or widow waits before remarrying to either verify that she is not pregnant and/or mourn her deceased husband.

**Iddiba':** In hajj (for men and boys) to put the center of one's rida' under the right arm and its two ends over the left shoulder so that the right shoulder is bare.

**Ifrad:** A form of performing hajj whereby one does hajj first and then umra. See tamatu' and qiran.

**Iftar:** The state of non-fasting. May also refer to the meal that one breaks one's fast with.

**Iftirash:** A sunna manner of sitting in prayer. One places the top of the left foot against the ground and sits upon its heel while keeping the right foot upright on the underside of its toes.

**Ightiraf:** To scoop water from a container for ghusl.

**Ihram:** A state of being, preceded by a specific intention, that allows a person to enter into hajj or umra. When in ihram a person must abide by certain conditions and is forbidden some otherwise permissible matters.

**Ijtihad:** Personal reasoning. Individual judgement in a legal matter based on personal interpretation of the available evidence.

**Imam:** A scholar of Islam. Leader of prayer. May also refer to head of state.

**Iqama:** The call to commence the prayer.

**Isha:** Nightfall prayer. The fifth and last prescribed prayer of the day.

**Istighfar:** Asking Allah for forgiveness.

**Istihada:** Irregular bleeding outside menstruation (between menstrual periods) and postnatal bleeding times.

**Istijmar:** To clean away what comes out of one's private parts with 'stones.'

**Istikhara prayer:** A sunna prayer one prays when faced with a decision and seeks guidance from Allah for that decision.

**Istikhara:** Asking for guidance.

**Istinja':** To clean away what comes out of one's private parts with 'stones' and/or water.

**Istinshaaq:** Rinsing out one's nose with water.

**Istisqa':** The prayer for rain.

**Izar:** What is worn around the lower part of the body, covering that which is between the navel and the knee.

**Jahili:** Describes pre-Islamic beliefs and traditions.

**Jalla:** Cow manure.

**Jama'a:** Group/congregation.

**Jamra:** A stoning site. One of three symbolic locations to 'stone' Shaytan.

**Janaba:** A state of being requiring one to make ghusl.

**Janaza:** Funeral or bier.

**Jinn:** Beings (not angel or human) created by Allah with free will do good or evil.

**Jubbah:** Long mantle

**Jumu'a (prayer):** Friday (prayer).

**Junob:** A person in the state of janaba.

**Kafan:** Shroud.

**Kaffara:** Penance.

**Kafir:** A non-believer.

**Khatib:** One who delivers the khutba.

**Khilafel awla:** Foregoing what is fitter.

**Khuff:** A shoe that covers the ankles which one may wipe over when making wudu under certain conditions.

**Khushou':** A spiritual state of deep concentration and awareness of one's communication with Allah ﷻ.

**Khusouf:** Lunar eclipse.

**Khutba:** A religious speech with specific requirements.

**Kohl:** A powdered black cosmetic preparation also used for its medicinal qualities to line the inner eyelid.

**Kusouf:** Solar eclipse.

**Lahd:** In a grave: A niche, or shelf, as long as the deceased's body, built into the base of the wall that faces the qibla.

**Madmadah:** Rinsing out one's mouth with water.

**Maghrib:** Sunset prayer. The fourth prayer of the day.

**Mahr:** The obligatory gift, usually monetary, a bridegroom gives his bride as part of the marriage contract.

**Makrooh:** What is discouraged but not strictly forbidden. One who refrains from such an act is rewarded while one who commits it is not punished.

**Mandoob:** See sunna.

**Mani:** Sexual fluid discharged by men or women during orgasm (semen in males).

**Math-hab:** School of legal thought.

**Mathi:** A thin discharge secreted as a result of nonorgasmic sexual excitement.

**Matlli':** Point that the sun or moon ascends from.

**Mihrab:** Niche in the wall of a mosque that designates the direction of the qibla.

**Minbar:** Pulpit. A platform that the khatib ascends to in order to give his khutba.

**Miqat:** The ihram site.

**Mizab:** Water spout.

**Mu'tazilite:** A person who subscribes to the Mu'tazila philosophy: A deviant system of belief influenced by Greek philosophy.

**Mubah:** Permissible. What one has the option to do or leave. One is not rewarded for doing or leaving a mubah act.

**Muballigh:** One who loudly repeats the imam's words whenever the imam moves from one position to another so that all the followers are notified of the imam's movements.

**Mubashara:** Intimate physical contact, short of sexual intercourse.

**Mudd:** A volume measure estimated in terms of a weight (for conversion) to be approximately 0.8 liters.

**Muezzin:** One who gives the call to prayer.

**Mufti:** Official interpreter and expounder of Islamic Law.

**Muhajer:** A companion of the Prophet ﷺ who migrated to Medina in obedience to Allah ﷻ.

**Mahram:** Non-marriageable kin.

**Mujtahid:** One who is qualified to issue expert legal opinion.

**Multazam:** The area between the Black Stone and the door of the Ka'ba.

**Muqem:** A person who calls the iqama.

**Murtad:** Apostate. A Muslim who rejects Islam.

**Mushaf:** The written Quran as opposed to the recited.

**Mustahab:** See sunna.

**Mustahada:** A woman who bleeds continuously out of the expected and usual times.

**Mutahayra:** A woman who cannot differentiate between menstrual and non-menstrual bleeding and cannot remember anything about her previous menstrual period.

**Muwala:** To perform the steps of an act of worship in quick succession.

**Nafl:** Non-obligatory worship.

**Nafr:** Mass departure. The leaving of Arafat to go to Mina.

**Nafs:** Base/lower ego.

**Nahr:** Slaughtering a sacrificial animal. The Day of Nahr is the first day of Eid Al-Adha.

**Najasa:** Visible or invisible impurity that must be removed before prayer can be performed.

**Najis:** Contaminated with najasa.

**Nathr:** A vow or promise to Allah.

**Nisab:** The minimum amount upon which zakat is obligated.

**Niyah:** The intention to do something accompanied by doing it.

**Non-mahram:** Any man that a woman can marry.

**Purification:** The act of making something pure (tahir), by removing any visible or invisible najasa.

**Qaba':** An overgarment worn over a shirt or dress, tied in the middle with a belt.

**Qada':** To make up an act of worship that was not done on time.

**Qaz:** A type of silk, that which the silkworm cut through and left alive.

**Qibla:** Direction towards which all Muslims pray.

**Qilla:** An obsolete measure of volume. Two qillas is equivalent to the volume of a cube whose sides are 58 centimeters long, holding 195.112 liters.

**Qiran:** A way of performing hajj combined with umra concurrently.

**Qiyam (in Ramadan):** The sunna prayer of Taraweeh.

**Qiyam:** Standing in prayer.

**Qiyas:** Analogical reasoning.

**Rak'a:** A unit of prayer consisting of qiyam (standing), ruku' (bowing), i'tidal (straightening up), sujood (prostrating), juloos (sitting up) and sujood (prostrating).



**Ramal:** A short stepped run similar to jogging.

**Rida':** What covers the upper part of the body, over the izar.

**Ridda:** Apostasy. Rejecting Islam after being Muslim.

**Rikaz:** Any buried treasure from pre-Islamic times.

**Rukn:** See fard.

**Ruku':** Bowing.

**Sa':** A volume measure that equals four mudds. Its approximate metric equivalent is 3.1 liters.

**Sa'i:** To go back and forth between the hills of Safa and Marwa (in Mecca) for hajj or umra.

**Sabil:** Something donated for ongoing public use.

**Sahar:** A period of time at the very end of the night wherein du'a is answered.

**Sahih Muslim:** The authentic book of Muslim. A book of sound hadith compiled and verified by Muslim.

**Sajda:** Prostration.

**Salam:** The Muslim greeting of peace: "Assalamu alaikum wa rahmatullah." In prayer: The verbal rukn which ends the prayer.

**Salat:** Prayer. Words and actions beginning with takbir, accompanied by the intention to perform prayer, and ending with salam.

**Sarjeen:** Sheep manure.

**Sawm:** Fasting.

**Sayyidina:** A term indicating respect and love – similar to "Our master."

**Shaqq:** A trench dug into the floor of a grave into which the deceased is laid.

**Shari'a:** Islamic law.

**Shat:** Sheep or goat.

**Shaytan:** Arabic for Satan or the devil.

**Sheikh:** A scholar of Islam who is a mentor and upbringer of his students.

**Sidr:** Fragrant Lote tree leaves – used as soap is used today.

**Siwak:** To brush one's teeth with a dampened twig of a fragrant tree or the like (toothbrush).

**Sughra:** The smallest. The Jamra (or stoning site) closest to Al Khayf.

**Suhoor:** A pre-dawn meal that is sunna for one who intends to fast.

**sujood:** prostration.

**Sundus:** Sarcenet – A thin silk fabric.

**Sunna:** What one is asked to do but not strictly required to and is not prohibited to refrain from. One who performs it is rewarded while one who refrains from it is not punished.

**Sura:** A unit of Quranic text consisting of a number of ayahs, often referred to as a chapter.

**Ta'awwuth:** To seek refuge in Allah ﷻ from Shaytan by saying "a'outhu billahi min ashaytan irrajeem." One who wishes to recite Quran must begin with this phrase.

**Tadabbur:** To reflect upon the meaning of Quran when reciting it.

**Tafsir:** The science of the explanation of Quran.

**Tahajjud:** Night prayer.

**Tahallul:** Release from ihram. Completing hajj and umra.

**Tahara:** Purification. The lifting of hadath or removing of najasa or what may look the same or mean the same.

**Tahlil:** Saying la ilaha illallah; There is no god but Allah.

**Tajwid:** The rules of pronunciation and elongation a reciter must follow when reading or reciting the Quran.

**Takbir:** Saying Allahu akbar. Allah is Greatest.

**Takbirtul ihram:** The opening takbir; literally "The takbir that forbids." It is called as such because it forbids what had been permissible before saying it, such as eating and drinking etc.

**Talbiya:** Saying "Labbayka allahumma labbayk." It is sunna to repeat the talbiya while in ihram. It means: "Here I come O Lord, Here I come."

**Tamatu':** A way of performing hajj whereby one does umra first and then hajj.

**Taqwa:** God-consciousness.

**Tarawih:** A prayer of twenty rak'as prayed in pairs on each of the nights of Ramadan.

**Tarboosh:** Fez; Turkish hat.

**Tartil:** To observe the rules of Quranic recitation (tajwid), and to recite in a slow, measured fashion.

**Tasabih (The prayer of):** A four raka sunna prayer in which one does three hundred repetitions of the tasbih.

**Tasbih:** Any phrase praising or glorifying Allah ﷻ. Specifically, in the tasabih prayer: Subhanallah, al-hamdulilah, la ilaha illallah, and Allahu akbar.

**Tashahud:** The testification of faith.

**Tashriq Days:** The second, third and fourth days of Eid Al-Adha.

**Tasmiya:** Saying "Bismillahir Rahmanir Raheem," "In the name of Allah, Most Gracious, Most Merciful."

**Tawaf:** Circumambulation around the Ka'ba.

**Tawarruk:** A sunna manner of sitting for the final testification. One sits as for iftirash, except that the left foot is pushed under the right leg and the left hip rests on the floor. The right foot remains upright on the underside of its toes.

**Tawassul:** Asking Allah for something through Prophet Muhammad's honorable rank of closeness to Allah.

**Tayamum:** What takes the place of wudu, ghusl, or washing a certain part of the body when water cannot be used.

**Thawil-Qurba:** Those who are related to the Prophet ﷺ.

**Thi-Tawa:** A place near Mecca.

**Thihar:** A jahili form of renouncing sexual relations with one's wife with the claim that she is to him as his mother.

**Thira':** An old unit of length - equal to 48cm approximately.

**Thuhr:** Noon prayer. The second prayer of the day.

**Tilawah:** Quran recital.

**Umma;** Nation/people.

**Umra:** Minor pilgrimage to Mecca.

**Wadi:** A white, thick odorless discharge preceding or following urination, sometimes occurring as a result of carrying a heavy object.

**Wadu:** The water used for wudu.

**Wajeb:** See fard.

**Wali:** Governor.

**Wisswas:** An obsessive compulsive state related (in this book) to one's worship.

**Witr prayer:** The last sunna prayer of the day. The minimum being one raka' and the maximum eleven.

**Witr:** An odd number.

**Wudu:** Minor ablution. The ritual washing that is necessary to remove minor hadath.

**Zakat:** Legal alms. A sum of money or an amount of property taken out of collected personal assets within certain conditions and designated to specific recipients.

**Zawal:** The time of day when the sun has just moved away from its zenith.

## Arabic text of the du'a, tasbih, and the wording of intentions

1. بسم الله، اللهم إني أعوذ بك من الخبث والخبائث.
2. غفرانك، الحمد لله الذي أذهب عني الأذى وعافاني.
3. اللهم طهر قلبي من النفاق، وحصن فرجي من الفواحش.
4. اللهم أسلمت وجهي إليك، وفوضت أمري إليك، وألجأت ظهري إليك، رغبة ورهبة إليك، لا ملجأ ولا منجى منك إلا إليك، اللهم آمنت بكتابك الذي أنزلت، ونبيك الذي أرسلت.
5. نويت سنن الوضوء.
6. نويت فرائض الوضوء.
7. نويت رفع الحدث.
8. نويت الطهارة للصلاة.
9. نويت الطهارة من الحدث.
10. نويت فرض الوضوء.
11. نويت فرض الوضوء لاستباحة فرض الصلاة.
12. نويت فرض الوضوء لاستباحة الصلاة.
13. بسم الله الرحمن الرحيم.
14. بسم الله على أوله وآخره.
15. أشهد أن لا إله إلا الله وحده لا شريك له وأن محمداً عبده ورسوله.
16. اللهم اجعلني من التوابين واجعلني من المتطهرين.
17. سبحانك اللهم وبحمدك، لا إله إلا أنت، أستغفرك وأتوب إليك.
18. نويت التيمم لاستباحة فرض الصلاة، أو فرض الطواف.
19. نويت التيمم لاستباحة نفل الصلاة، أو نفل الطواف.
20. نويت التيمم لاستباحة سجود الشكر (أو سجود التلاوة، أو مس المصحف، أو الوطء بعد الحيض).
21. نويت التيمم عن فرائض الغسل لاستباحة فرض الصلاة.
22. الله أكبر الله أكبر، الله أكبر الله أكبر، أشهد أن لا إله إلا الله، أشهد أن لا إله إلا الله، أشهد أن محمداً رسول الله، أشهد أن محمداً رسول الله، حي على الصلاة، حي على الفلاح، حي على الفلاح، الله أكبر الله أكبر، لا إله إلا الله.
23. الله أكبر الله أكبر، أشهد أن لا إله إلا الله، أشهد أن محمداً رسول الله، حي على الصلاة، حي على الفلاح، قد قامت الصلاة، قد قامت الصلاة، الله أكبر الله أكبر، لا إله إلا الله.
24. الصلاة خير من النوم.
25. ألا صلوا في الرحال.
26. لا حول ولا قوة إلا بالله العلي العظيم.
27. صدقت وبررت.
28. أقامها الله وأدامها.
29. اللهم رب هذه الدعوة التامة والصلاة القائمة، آت سيدنا محمداً الوسيلة والفضيلة، وابعثه مقاماً محموداً الذي وعدته.

30. اللهم هذا إقبال ليلتك، وإدبار نهارك، وأصوات دعائك، فاغفر لي.
31. التحيات لله، والصلوات والطيبات، السلام عليك أيها النبي ورحمة الله وبركاته، السلام علينا وعلى عباد الله الصالحين، أشهد أن لا إله إلا الله، وأشهد أن محمداً عبده ورسوله.
32. التحيات لله، سلام عليك أيها النبي ورحمة الله وبركاته، سلام علينا وعلى عباد الله الصالحين، أشهد أن لا إله إلا الله، وأشهد أن محمداً عبده ورسوله.
33. اللهم صل على محمد، وعلى آل محمد، كما صليت على آل إبراهيم. وبارك على محمد، وعلى آل محمد، كما باركت على آل إبراهيم، في العالمين إنك حميد مجيد.
34. اللهم صل على محمد، (أو على النبي، أو على الرسول).
35. اللهم اهْدني فيمن هديت، وعافني فيمن عافيت، وتولني فيمن توليت، وبارك لي فيما أعطيت، وقني شر ما قضيت، فإنك تقضي ولا يقضى عليك، وإنه لا يذل من واليت، تباركت ربنا وتعاليت.
36. و لا يعز من عاديت.
37. وصل الله على النبي محمد.
38. فلك الحمد على ما قضيت، أستغفرك وأتوب إليك.
39. اللهم إنا نستعينك ونستهديك، ونستغفرك، ونؤمن بك، ونتوب إليك، ونتوكل عليك، ونثني عليك الخير كله، نشكرك ولا نكفرك، ونخلع ونترك من يفجرك، اللهم إياك نعبد، ولك نصلي ونسجد، وإليك نسعى ونحفد، نرجو رحمتك، ونخشى عذابك، إن عذابك الجد بالكفار ملحق، وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم.
40. سمع الله لمن حمده، ربنا ولك الحمد.
41. وجهت وجهي للذي فطر السموات والأرض حنيفاً وما أنا من المشركين، إن صلاتي ونسكي ومحياي ومماتي لله رب العالمين لا شريك له، وبذلك أمرت وأنا أول المسلمين، اللهم أنت الملك لا إله إلا أنت، أنت ربي وأنا عبدك ظلمت نفسي واعترفت بذنبي فاغفر لي ذنوبي جميعاً، إنه لا يغفر الذنوب إلا أنت، واهدني لأحسن الأخلاق لا يهدي لأحسنها إلا أنت، واصرف عني سيئها لا يصرف عني سيئها إلا أنت، لبيك وسعديك والخير كله في يديك، والشر ليس إليك، أنا بك وإليك، تباركت وتعاليت، أستغفرك وأتوب إليك.
42. اللهم باعد بيني وبين خطاياي كما باعدت بين المشرق والمغرب، اللهم نقني من خطاياي كما ينقى الثوب الأبيض من الدنس، اللهم اغسلني بالثلج والماء والبرد.
43. الله أكبر كبيراً، والحمد لله كثيراً، وسبحان الله وبحمده بكرة وأصيلاً.
44. الحمد لله حمداً كثيراً طيباً مباركاً.
45. سبحان الله والحمد لله ولا إله إلا الله والله أكبر.
46. أعوذ بالله من الشيطان الرجيم.
47. سبحان ربي العظيم وبحمده.
48. اللهم لك ركعت، وبك آمنت، ولك أسلمت، خشع لك سمعي وبصري ومخي وعظمي وعصبي.
49. سمع الله لمن حمده.
50. اللهم ربنا لك الحمد ملء السموات وملء الأرض، وما بينهما، وملء ما شئت من شيء بعد.
51. أهل الثناء والمجد، أحق ما قال العبد، وكلنا لك عبد، اللهم لا مانع لما أعطيت، ولا معطي لما منعت، ولا ينفع ذات الجد منك الجد.
52. سبحان ربي الأعلى.

53. اللهم لك سجدت، وبك آمنت، ولك أسلمت، سجد وجهي للذي خلقه وصوره وشق سمعه وبصره، تبارك الله أحسن الخالقين.
54. سيوح قدوس، رب الملائكة والروح.
55. اللهم اغفر لي واجبرني واهدني وارزقني.
56. التحيات المباركات، الصلوات الطيبات لله، السلام عليك أيها النبي ورحمة الله وبركاته، السلام علينا وعلى عباد الله الصالحين، أشهد أن لا إله إلا الله، وأشهد أن محمداً رسول الله.
57. اللهم صل على محمد عبدك ورسولك النبي الأمي، وعلى آل محمد وأزواجه وذريته، كما صليت على إبراهيم وعلى آل إبراهيم، وبارك على محمد النبي الأمي، وعلى آل محمد وأزواجه وذريته، كما باركت على إبراهيم وعلى آل إبراهيم، في العالمين إنك حميد مجيد.
58. يا مقلب القلوب ثبت قلبي على دينك.
59. اللهم إني ظلمت نفسي ظلماً كثيراً، ولا يغفر الذنوب إلا أنت فاغفر لي مغفرة من عندك، وارحمني إنك أنت الغفور الرحيم.
60. اللهم إني أعوذ بك من عذاب القبر، وأعوذ بك من فتنة المسيح الدجال، وأعوذ بك من فتنة المحيا وفتنة الممات، اللهم إني أعوذ بك من المأثم والمغرم.
61. اللهم اغفر لي ما قدمت وما أخرت، وما أسررت، وما أعلنت، وما أسرفت، وما أنست أعلم به مني، أنت المقدم وأنت المؤخر لا إله إلا أنت.
62. ورحمة الله.
63. اللهم أنت السلام ومنك السلام، تباركت ذا الجلال والإكرام.
64. لا إله إلا الله وحده لا شريك له، له الملك وله الحمد وهو على كل شيء قدير، اللهم لا مانع لما أعطيت، ولا معطي لما منعت، ولا ينفع ذا الجد منك الجد.
65. اللهم إني أسألك موجبات رحمتك، وعزائم مغفرتك، والغنيمة من كل بر، والسلامة من كل إثم.
66. اللهم أعني على ذكرك وشكرك وحسن عبادتك.
67. اللهم إني أعوذ بك من الجبن، وأعوذ بك أن أرد إلى أرذل العمر، وأعوذ بك من فتنة الدنيا، وأعوذ بك من عذاب القبر.
68. سبحان ربك رب العزة عما يصفون، وسلام على المرسلين والحمد لله رب العالمين.
69. سبحان من لا ينام ولا يسهو.
70. اللهم اكتب لي بها عندك أجراً، واجعلها لي عندك ذخراً، وضع عني بها وزراً، واقبلها مني كما قبلتها من عبدك داود عليه السلام.
71. الصلاة جامعة.
72. الله أكبر الله أكبر الله أكبر.
73. لا إله إلا الله، الله أكبر الله أكبر، والله الحمد.
74. الله أكبر كبيراً، والحمد لله كثيراً، وسبحان الله بكرة وأصيلاً، لا إله إلا الله، ولا نعبد إلا إياه، مخلصين له الدين ولو كره الكافرون، لا إله إلا الله وحده، صدق وعده، ونصر عبده، وهزم الأحزاب وحده، لا إله إلا الله.
75. اللهم اسقنا، اللهم اسقنا، اللهم اسقنا.
76. اللهم حولينا ولا علينا، اللهم على الآكام والجال، والآجام والظراب والأودية ومنابت الشجر.
77. أستغفر الله العظيم الذي لا إله إلا هو الحي القيوم وأتوب إليه.
78. اللهم اسقنا غيثاً مغيثاً، هنيئاً، مريئاً، مريعاً، غدقاً، مجللاً، طبقاً، سحاً، دائماً، اللهم اسقنا الغيث ولا تجعلنا من القانطين. اللهم إن بالعباد والبلاد من اللأواء والجهد والضنك ما لا نشكو

إلا إليك، اللهم أنبت لنا الزرع، وأدرّ لنا الضرع، واسقنا من بركات السماء، اللهم ارفع عنا الجهد والجوع، والعري، واكشف عنا ما لا يكشفه غيرك، اللهم إنا نستغفرك إنك كنت غفارا، فأرسل السماء علينا مدرارا.

79. اللهم أنت أمرتنا بدعائك ووعدتنا إجابتك، وقد دعوناك كما أمرتنا فأجبنا كما وعدتنا، اللهم امنن علينا بمغفرة ما قارفنا، وإجابتك في سقيانا، وسعة رزقنا

80. اللهم اجعله صيبا، هنيئا، وسيبا نافعا، مطرنا بفضل الله.

81. اللهم حولينا ولا علينا.

82. اللهم إني أستخيرك بعلمك، وأستفدرك بقدرتك، وأسألك من فضلك العظيم، فإنك تقدر ولا أقدر، وتعلم ولا أعلم، وأنت علام الغيوب، اللهم إن كنت تعلم أن هذا الأمر خير لي في ديني ومعاشي وعاقبة أمري، فاقدره لي ويسره لي ثم بارك لي فيه، وإن كنت تعلم أن هذا الأمر شر لي في ديني ومعاشي وعاقبة أمري، فاصرفه عني واصرفني عنه، واقدر لي الخير حيث كان ثم أرضني به.

83. لا إله إلا الله الحليم الكريم، سبحان الله رب العرش العظيم، الحمد لله رب العالمين، أسألك موجبات رحمتك وعزائم مغفرتك، والغنيمة من كل بر، والسلامة من كل إثم، لا تدع لي ذنبا إلا غفرتة، ولا هماً إلا فرجته، ولا حاجة هي لك رضا إلا قضيتها يا أرحم الراحمين.

84. استووا ولا تختلفوا فتختلف قلوبكم.

85. الحمد لله الذي خلق السموات والأرض.

86. نويت التيمم بدلا عن غسل الجمعة.

87. إن الله وملائكته يصلون على النبي، يا أيها الذين آمنوا صلوا عليه وسلموا تسليما.

88. نويت أن أصلي فرض الظهر مقصورا.

89. نويت أن أصلي فرض الظهر مجموعا مع العصر جمع تقديم.

90. أذهب البأس رب الناس، واشف أنت الشافي، لا شفاء إلا شفاؤك، شفاء لا يغادر سقما.

91. اللهم ارزقني شهادة في سبيلك، واجعل موتي في بلد رسولك.

92. اللهم أحيني ما كانت الحياة خيرا لي، وتوفني إذا كانت الوفاة خيرا لي.

93. اللهم اغفر له وارحمه وأدخله جنتك، وقد فعلت.

94. اللهم صل على محمد.

95. اللهم اغفر لحينا وميتنا، وصغيرنا وكبيرنا، وذكرنا وأنثانا، وشاهدنا وغائبنا، اللهم من أحييته منا فأحيه على الإيمان، ومن توفيته منا فتوفه على الإسلام، اللهم لا تحرمنا أجره، ولا تضلنا بعده.

96. اللهم اغفر له وارحمه، واعف عنه وعافه، وأكرم نزله، ووسع مدخله، واغسله بماء وثلج وبرد، ونقه من الخطايا كما ينقى الثوب الأبيض من الدنس، وأبدله دارا خيرا من داره، وأهلا خيرا من أهله، وزوجا خيرا من زوجته، وقه فتنة القبر وعذاب النار.

97. اللهم هذا عبدك وابن عبدك، خرج من روح الدنيا وسعتها، ومحبوبه وأحباؤه فيها، إلى ظلمة القبر، وما هو لآقيه، كان يشهد أن لا إله إلا أنت، وحده لا شريك لك، وأن محمدا عبدك ورسولك، وأنت أعلم به منا، اللهم نزل بك، وأنت خير منزل به، وأصبح فقيرا إلى رحمتك، وأنت غني عن عذابه، وقد جئناك راغبين إليك، شفعا له، اللهم إن كان محسنا فزد في حسناته، وإن كان مسيئا فتجاوز عنه، ولقه برحمتك رضاك، وقه فتنة القبر وعذابه، وافسح له في قبره، وجاف الأرض عن جنبيه، ولقه برحمتك الأمن من عذابك، حتى تبعثه إلى جنتك يا أرحم الراحمين.

98. اللهم اجعله فرطا لأبويه، وسلفا وذخرا، وعظما واعتبارا، وشفيعا، وثقل به موازينهما، وأفرغ الصبر على قلوبهما، ولا تفتنهما بعده، ولا تحرمهما أجره.

99. اللهم لا تحرمنّا أجره، ولا تفتنّا بعده، واغفر لنا وله.
100. سبحان الله الذي لا يموت.
101. سبحان الملك القدوس.
102. بسم الله، على ملة رسول الله.
103. اللهم أسلمه إليك الأشقاء من ولده وأهله وقربته وإخوانه، وفارق من كان يحب قربته، وخرج من سعة الدنيا والآخرة إلى ظلمة القبر وضيقه، ونزل بك وأنت خير منزل به، إن عاقبته فبذنب، وإن عفوت فأهل العفو أنت، غني عن عذابه، وهو فقير إلى رحمتك، اللهم أشكر حسنّته، واغفر سيئته، وأعذه من عذاب القبر، واجمع له برحمتك الأمن من عذابه، واكفه كل هول دون الجنة، اللهم اخلفه في تركته في الغابرين، وارفعه في عليين، وعد عليه برحمتك يا أرحم الراحمين.
104. اذكر ما خرجت عليه من الدنيا شهادة أن لا إله إلا الله، وأن محمداً عبده ورسوله، وأنت رضىت بالله رباً، وبالإسلام ديناً، وبمحمد نبياً، وبالقرآن إماماً.
105. السلام عليكم أهل الديار من المؤمنين والمسلمين، وإنا إن شاء الله للاحقون، أسأل الله لنا ولكم العافية.
106. اللهم لا تحرمنّا أجرهم ولا تفتنّا بعدهم، واغفر لنا ولهم.
107. إن في الله سبحانه وتعالى عزاءً من كل مصيبة، وخلفاً من كل هالك، ودركاً من كل فائت، فبالله فتقوا، وإياه فارجوا، فإن المصاب من حرم الثواب.
108. أعظم الله أجرك، وأحسن عزاك، وغفر لميتك.
109. أعظم الله أجرك، وأحسن عزاك.
110. أحسن الله عزاك، وغفر لميتك.
111. أخلف الله عليك، ولا نقص عددك.
112. نويت صوم رمضان.
113. نويت الصوم عن رمضان.
114. نويت صوم غد عن أداء فرض رمضان هذه السنة إيماناً واحتساباً لله تعالى.
115. اللهم لك صمت، وعلى رزقك أفطرت، وبك أمنت، ولك أسلمت، وعليك توكلت، ذهب الظما، وابتلت العروق، وثبت الأجر إن شاء الله، يا واسع المغفرة اغفر لي، الحمد لله الذي أعانني فصمت، ورزقني فأفطرت، اللهم وفقنا للصيام، وبلغنا فيه القيام، وأعنا عليه والناس نيام، وأدخلنا الجنة بسلام.
116. اللهم إنك عفو كريم تحب العفو فاعف عني.
117. نويت الاعتكاف المفروض.
118. نويت فرض الاعتكاف.
119. نويت الاعتكاف المنذور.
120. نويت الاعتكاف.
121. نويت سنة الاعتكاف.
122. نويت الإحرام عن فلان بالعمرة/بالحج.
123. جعلته محرماً بالعمرة/بالحج.
124. نويت الحج أو العمرة عن فلان وأحرمت به الله تعالى.
125. نويت الحج أو العمرة، وأحرمت به الله تعالى.
126. لبيك اللهم لبيك، لبيك لا شريك لك لبيك، إن الحمد والنعمة لك، والملك لا شريك لك.
127. لبيك وسعديك، والخير كله بيدك، والرغبة إليك والعمل.
128. اللهم إني أسألك رضاك والجنة.



129. اللهم إني أعوذ من سخطك ومن النار.
130. لبيك إن العيش عيش الآخرة.
131. اللهم زد هذا البيت تشريفاً وتعظيماً ومهابةً، وزد من شرفه وكرمه ممن حجه واعتمره تشريفاً وتعظيماً وبراً. اللهم أنت السلام ومنك السلام فحينا ربنا بالسلام.
132. لا إله إلا الله وحده لا شريك له.
133. لا إله إلا الله وحده لا شريك له، له الملك وله الحمد وهو على كل شيء قدير، اللهم اجعل في قلبي نوراً وفي سمعي نوراً وفي بصري نوراً، اللهم اشرح لي صدري، ويسر لي أمري، وأعوذ بك من وساوس الصدر وشتات الأمر وفتنة القبر. اللهم إني أعوذ بك من شر ما يلج في الليل، وشر ما يلج في النهار، وشر ما تهب به الرياح ومن شر بوائق الدهر.
134. اللهم إني أريد طواف بيتك الحرام فيسره لي وتقبله مني، نويت سبعة أشواط طواف الحج أو طواف العمرة.
135. بسم الله والله أكبر والله الحمد، اللهم إيماناً بك وتصديقاً بكتابك، ووفاء بعهدك، واتباعاً لسنة نبيك سيدنا محمد ﷺ.
136. اللهم اجعله حجاً مبروراً -أو عمرة مبرورة- وذنباً مغفوراً، وسعيًا مشكوراً، وتجارة لن تبور، يا عزيز ويا غفور.
137. رب اغفر وارحم وتجاوز عما تعلم، إنك أنت الأعز الأكرم، ربنا آتينا في الدنيا حسنة وفي الآخرة حسنة، وقنا عذاب النار.
138. سبحان الله والحمد لله ولا إله إلا الله والله أكبر ولا حول ولا قوة إلا بالله.
139. اللهم إن البيت بيتك، والحرم حرمك، والأمن أمانك، وهذا مقام العائذ بك من النار.
140. اللهم إني أعوذ بك من الشك والشرك والشقاق والنفاق وسوء الأخلاق، وسوء المنقلب في الأهل والمال والولد.
141. اللهم أظلني في ظلك يوم لا ظل إلا ظلك، واسقني بكأس سيدنا محمد ﷺ شربة هنيئة لا أظمأ بعدها أبداً يا ذا الجلال والإكرام.
142. اللهم اجعله حجاً مبروراً وسعيًا مشكوراً وعملاً مقبولاً وتجارة لن تبور، يا عزيز، يا غفور.
143. ربنا آتينا في الدنيا حسنة وفي الآخرة حسنة وقنا عذاب النار.
144. اللهم إنك تعلم سري وعلايتي، فأقبل معذرتي، وتعلم حاجتي. فأعطني سؤلي، وتعلم ما في نفسي فاغفر لي ذنبي، اللهم إني أسألك إيماناً يباشر قلبي، ويقيناً صادقاً حتى أعلم أنه لا يصيبني إلا ما كتبت لي، ورضني بما قسمت لي.
145. لا إله إلا الله وحده لا شريك له، له الملك وله الحمد وهو على كل شيء قدير، لا إله إلا الله وحده أنجز وعده ونصر عبده، وهزم الأحزاب وحده.
146. رب اغفر وارحم وتجاوز عما تعلم، إنك أنت الأعز الأكرم، اللهم اجعله حجاً مبروراً -أو عمرة مبرورة- وذنباً مغفوراً، وسعيًا مشكوراً، وتجارة لن تبور، يا عزيز ويا غفور.
147. الله أكبر، الله أكبر، الله أكبر، لا إله إلا الله، الله أكبر الله أكبر، والله الحمد، الله أكبر على ما هدانا، والحمد لله على ما أولانا، لا إله إلا الله وحده لا شريك له، له الملك وله الحمد يحيي ويميت وهو على كل شيء قدير، لا إله إلا الله وحده أنجز وعده ونصر عبده، وهزم الأحزاب وحده، لا إله إلا الله ولا نعبد إلا إياه، مخلصين له الدين ولو كره الكافرون.
148. بسم الله والله أكبر، صدق الله وعده، ونصر عبده، وأعز جنده، وهزم الأحزاب وحده، لا إله إلا الله، ولا نعبد إلا إياه، مخلصين له الدين ولو كره الكافرون.

149. اللهم إنه بلغني عن نبيك محمد ﷺ أن (ماء زمزم لما شرب له) وأنا أشربه لكذا، اللهم فافعل.

150. اللهم إن البيت بيتك، والعبد عبدك، وابن عبدك، وابن أمك، حملتني على ما سخرت لي من خلقك حتى سيرتني في بلادك، وبلغتني بنعمتك، حتى أعنتني على قضاء مناسكك، فإن كنت رضية عني فازدد عني رضا، وإلا فمن الآن قبل أن تنأى عن بيتك داري، ويبعد عنه مزارعي، هذا أو أن انصرافي إن أذنت لي، غير مستبدل بك ولا ببيتك، ولا راغب عنك ولا عن بيتك، اللهم اصحبني العافية في بدني، والعصمة في ديني، وأحسن منقلبتي، وارزقني طاعتك ما أبقيتني.

151. بسم الله، والسلام على رسول الله، اللهم اغفر لي ذنوبي، وافتح لي أبواب رحمتك.  
152. بسم الله، والسلام على رسول الله، اللهم اغفر لي ذنوبي، وافتح لي أبواب فضلك.  
153. السلام عليك يا رسول الله، السلام عليك يا نبي الله، السلام عليك يا حبيب الله، أشهد أنك رسول الله حقاً، بلغت الرسالة، وأديت الأمانة، ونصحت الأمة، وكشفت الغمة، وجلوت الظلمة، ونطقت بالحكمة، وجاهدت في سبيل الله حق جهاده، جزاك الله عنا أفضل الجزاء.

154. السلام عليك يا أبا بكر، يا خليفة رسول الله ﷺ، جزاك الله عن أمة محمد خيراً.  
155. لقد جاءكم رسول من أنفسكم عزيز عليه ما عنتم، حريص عليكم، بالمؤمنين رؤوف رحيم.

156. السلام عليكم دار قوم مؤمنين، وإنا إن شاء الله بكم لاحقون، اللهم اغفر لنا ولهم.

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